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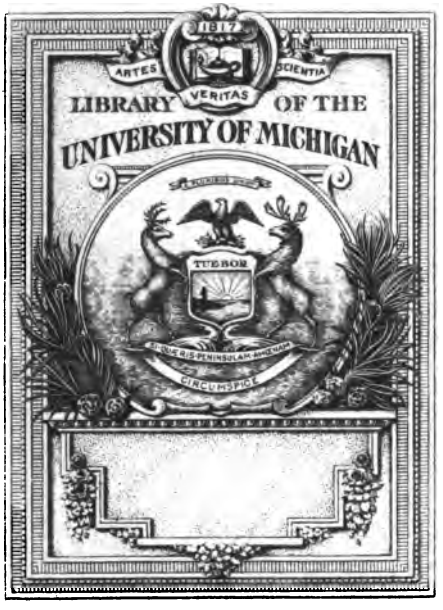

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AN EXAMINATION OF THE LETTERS,

Said to be written by

MARY Queen of *SCOTS*,

TO

JAMES Earl of *Bothwell*:

ALSO,

An Inquiry into the Murder of King *Henry*.

VOL. II.

CONTAINING

I. The Letters themſelves, in *Scottiſh*, *Latin* and *French*.

II. The Conferences at *York* and *Weſtminſter*, and other Writings relative to the Letters.

By WALTER GOODALL.

Pandere res alta terra et caligine merſas.

EDINBURGH:
Printed by T. and W. RUDDIMANS,
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APPENDIX,

Containing the Letters ſaid to be written by MARY *Queen of* Scots, *to* JAMES *Earl of* Bothville, *and other Writings relative to them.*

LETTER I.

BEING departit from the place quhair I left my hart, it is eſie to be judgeit quhat was my countenance, ſeing that I was evin als mekle as ane body without ane hart; quhilk was the Occaſioun that quhile Dennertyme I held purpois to na body; nor zit durſt ony preſent thamſelfis unto me, judging yat it was not gude ſa to do.

POſteaquam ab eo loco diſceſſi ubi reliqueram cor meum, facilis eſt conjectura qui meus fuerit vultus, cùm planè perinde eſſem atque corpus ſine corde: ea fuit cauſa cur toto prandii tempore, neque contulerim ſermonem cum quoquam, neque quiſquam ſe offerre mihi ſit auſus, ut qui judicarent id non eſſe ex uſu.

Four Myle or I came to the towne, ane Gentilman of the

Ad quatuor paſſuum millia antequam ad oppidum acceſſiſſem,

ESTANT partie du lieu ou j'avoye laiſſé mon cœur, il ſe peut aiſément juger quelle eſtoit ma contenance, veu ce que peut un corps ſans cœur; qui à eſté cauſe que juſques à la diſnée je n'ay pas tenu grand propos; auſſi perſonne ne s'eſt voulu avancer, jugeant bien qu'il n'y faiſoit bon.

Eſtant encor à quatre mille pas de la ville, vint à moy un

the Erle of *Lennox* came and maid his commendatioun unto me; and excusit him that he came not to meit me, be reſſoun he durſt not interpryſe the ſame, becaus of the rude wordis that I had ſpokin to *Cuninghame*: and he deſyrit that he ſuld come to the inquiſitioun of ye matter yat I ſuſpectit him of. This laſt ſpeiking was of his awin heid, without ony commiſſioun.

... ſem, homo honeſto loco natus à Comite Lenniæ ad me venit, atque ejus nomine ſaluavit: excuſavit comitem, quòd non ipſe obviàm proceſſiſſet, id enim quò minùs auderet, in cauſa fuiſſe, quòd verbis aſperioribus Cuninganium compellaſſem. Petivit etiam ut inquirerem de ſuſpicione meâ adverſus Comitem. Poſtrema hæc ſermonis pars, ab ipſo, injuſſu Comitis, erat adjecta.

I anſwerit to him, that *thair was na receipt culd ſerve aganis feir*; and that he wald not be affrayit, in cace he wer not culpabill; and that I anſwerit bot rudely to the doutis yat wer in his letteris. Summa, I maid him hald his toung. The reſt wer lang to wryte. Schir *James Hammiltoun*

Ego reſpondi, nullam adverſus timorem eſſe medicinam; neque ſi extra culpam eſſet, tam meticuloſum futurum; neque me, niſi ad dubitationes, quæ in ejus literis erant, aſperiùs reſpondiſſe. In ſumma, impoſui homini ſilentium. Longum eſſet cetera perſcribere. D. Jacobus Hamiltonius

Gentilhomme envoyé par le Conte de Lenos, qui me ſalva en ſon nom; & l'excuſa de ce qu'il ne m'eſtoit venu au devant, diſant, qu'il ne l'avoit oſé entreprendre, à cauſe que j'avoye tenſé Cuningham avec paroles aigres. Il me demanda auſſi que je m'enquiſſe de ſoupçon que j'avoye contre icelluy Conte. Ceſte derniere partie de ſon dire avoit eſté adjouſtée par luy, ſans que le Conte luy euſt commandé.

Je reſpondy, *qu'il n'y avoit point de remede contre la crainte*; & que s'il eſtoit hors de faute, il ne ſeroit pas tant timide; & que je n'avoye point reſpondu aſprement ſinon aux doutes qui eſtoient en ſes lettres. En ſomme, j'impoſay ſilence au perſonnage. Il ſeroit long deſcrire tout le reſte.

toun met me, quha ſchawit, that the uther tyme quhen he hard of my cumming, he departit away, and ſend *Howſtoun*, to ſchaw him, that he wald never have believit that he wald have perſewit him, nor zit accompanyit him with the *Hammiltounis*. He anſwerit, that he was only cum bot to ſee me, and yat he wald nouther accompany *Stewart* nor *Hammiltoun*, bot be my commandement. *He deſyrit that he wald cum and ſpeik with him: He refuſit it.*

tonius mihi obviàm venit; is oſtendit ſuperiore tempore, cùm de meo adventu audiſſet, eum diſceſſiſſe, ac Huſtonum ad ſe miſiſſe, qui diceret, ſe nunquam fuiſſe traditurum, quòd aut ipſum perſequeretur, aut Hamiltoniis ſe conjungeret; ſe verò reſpondiſſe, ſui itineris cauſam unam fuiſſe, ut me videret, neque cum Stuartis, aut Hamiltoniis, injuſſu meo, ſe conjuncturum.

The Laird of *Luſſe*, *Howſtoun*, and *Caldwellis* ſone, with XL. hors or thairabout, came and met me. The Laird of *Luſſe* ſaid, he was chargeit to ane day of law be the King's father, quhilk fuld be this day, againis his awin hand-

Luſſius, Huſtonus, Caldoëllii filius, comitati quadraginta circiter equis, obviàm venerunt. Luſſius dixit, ſe à regis patre in eum ipſum diem ut cauſam diceret arceſſitum, contra quam chirographo promiſiſſet; id chirographum penes ſe eſſe: tamen

reſte. Le Seigneur Jaques Hambleton vint au devant de moy, lequel me declara, qu'auparavant ayant entendu ma venüe, il s'eſtoit retiré, & luy avoit envoyé Huſton, pour luy dire, qu'il n'euſt jamais creu, ou qu'il l'euſt voulu pourſuivre, ou qu'il ſe fut joinct avec les Hambletons; & qu'il reſpondit, qu'il n'y avoit eu qu' une cauſe de ſon voyage, à ſçavoir, pour me voir, & qu'il ne ſe conjoindroit avec les Stuarts & Hambletons ſans mon commandement.

Luſſe, Huſton, & le fils de Cauldwellis, accompagnez d' environ quatre vingts chevaux, vindrent au devant de moy. Luſſe dict, que ce jour-là meſme il eſtoit adjourné par le pere du Roy, contre ce qu'il avoit promis par ſon ſeing, &

hand-writ, quhilk he hes: and zit notwithstanding, knawing of my cumming, it is delayit. He was inquyrit to cum to him, quhilk he refusit, and sweiris that he will *indure* nathing of him.

men cùm de meo adventu rescitum esset, diem prolatum. Se accersitum à Comite, ire nolle, ac jurat se nihil unquam ab eo velle.

Never ane of that towne came to speik to me, quhilk causis me think that thay ar his; and neuertheles he speikis gude, at the leist his Sone. I sé na uther Gentilman bot thay of my company.

Nemo oppidanorum me convenit, quæ res facit ut eos credam ab illo stare; præterea bene loquuntur, saltem de filio. Nullos præterea nobiles video præter meos comites.

The King send for *Joachim* zisternicht, and askit at him, quhy I ludgeit not besyde him? and that he wald ryse the soner gif that wer: and quhairfoir I come, gif it was for gude appointment? and gif ze wer thair in particular? and gif I had maid my estait, gif I had takin *Paris* † and

This berer will tell you, somwhat upon this.

Rex arcersivit Joachimum heri, ac eum interrogavit, cur non prope se diverterem, id enim si fecissem, se citiùs surrecturum; item cur venissem? an reconciliationis causâ? ac nominatim, an tu hîc esses? an familiæ catalogum fecissem? an Paridem & Gilbertum accepissem, qui mihi scriberent? an

que ce seing estoit par devers luy: mais que quand on fut adverty de ma venüe, que le jour avoit esté prolongé. Et qu'il ne vouloit aller par devers le Conte, qui l'avoit appellé en jurant, qu'il ne luy demanderoit jamais rien.

Nul des citoyens n'est venu à moy, qui faict que je croy qu'ils sont d'avec cestuy-là; & puis ils parlent en bien, au moins du fils. D'avantage je ne voy aucuns de la Noblesse outre ceux de ma suite.

Le Roy appella hier Joachim, & l'interroga, pourquoy je n'alloye loger pres de luy, & que si je le faisoye, il seroit plustost remis sus; item pourquoy j'estoye venue, & si c'estoit pour faire une reconciliation: si vous estiez icy: & si j'avoye faict quel-

and *Gilbert* to wryte to me? and yat I wald send *Joseph* away. I am abaſchit quha hes ſchawin him ſa far; zea, he ſpak evin of ye Marriage of *Baſtiane*.

I inquyrit him of his letteris, quhairintil he plenzeit of the crueltie of ſum: anſwerit, that he was aſtoniſchit, and that he was ſa glaid to ſé me, that he belevit to die for glaidneſs. He fand greit fault that I was penſive.

I departit to ſupper. This beirer will tell zow of my arryuing. He prayit me to returne: the quhilk I did. He declairit unto me his Seiknes, and that he wald mak na teſtament, bot only leif all thing to me; and that I was the caus

an Joſephum dimiſſura eſſem? Miror quis ei tantum indicarit; etiam, uſque ad nuptias Sebaſtiani ſermo pervenit.

Ego eum de ſuis literis rogavi, in quibus queſtus erat de quorundam crudelitate; reſpondit, ſe nonnihil eſſe attonitum, meumque ei conſpectum tam jucundum, ut putaret ſe lætitiâ moriturum. Offendebatur eo quòd tam cogitabunda eſſem.

Ego diſceſſi ad cœnam. Qui has fert tibi de meo adventu narrabit. Rogavit me ut redirem, quod & feci. Suum mihi morbum explicavit, ſeque nullum teſtamentum facturum, niſi id unum, quòd omnia mihi relinqueret; me autem ſui morbi

quelque rolle de mes domeſtiques: ſi j'avois prins Paris & Gilbert, afin qu'ils m'eſcriviſſent: & ſi je ne vouloye pas licentier Joſeph. Or je m'eſtonne qui luy en a tant declaré; car meſme il a tenu propos de Sebaſtian.

Je l'ay enquis de ſes lettres, ou il s'eſtoit plaint de la cruauté d'aucuns. Il reſpondit, qu'il eſtoit aucunement eſtonné, & qu'il ſe trouvoit ſi joyeux de me voir, qu'il penſoit mourir de joye. Cependant il eſtoit offenſé de ce que j'eſtois ainſi penſive.

Je m'en allay ſoupper. Celuy qui vous porte ces lettres vous ſera entendre de ma venüe. Il me pria de retourner, ce que je fay. Il me declara ſon mal, adjouſtant, qu'il ne vouloit point faire de teſtament, ſinon ceſtuy ſeul, c'eſt qu'il me laiſſeroit tout; & que j'avoye eſté la cauſe de ſa maladie,

pour

tang of his maladie, becaus of the regrait that he had that I was sa strange unto him. And thus he said: Ze ask me quhat I mene be the crueltie contenit in my letter? it is of zow alone that will not accept my offeris and repentance. I confes that I haue failit, bot not into that quhilk I ever denyit; and sicklyke hes failit to sindrie of zour subjectis, quhilk ze haue forgeuin.

I am zoung.

Ze wil say, that ze haue forgevin me oft tymes, and zit yat I returne to my faultis. May not ane man of my age, for lacke of counsell, fall twyse or thryse, or inlacke of his promeis, and at last repent himself, and be chastisit be expe-

bi fuisse, quòd molesse tulisset me tam alieno erga se animo fuisse. Ac postea inquit, Me rogas quid sibi velit illa crudelitas, cujus mentio est in meis literis? ad te unam id spectat, quæ meas pollicitationes ac pœnitentiam recipere non vis. Fateor à me peccatum esse, sed non in eo quod semper negavi; peccavi etiam adversus quosdam civium tuorum, quod mihi abs te condonatum est.

Ego sum adolescens.

Ac tu dicis, quòd post veniam sæpe abs te datam, adhuc ad peccata redeo. Nonne homo, qui ego sum ætate, consilio destitutus, bis aut ter labi potest, aut pollicitis non stare, ac deinde sui errati pœnitere, & rerum usu corrigi? Quòd si

pour l'ennuy qu'il avoit porté que j'eusse l'affection tant esloignée de luy. Et puis apres, Vous me demandez, dit-il, que veut dire ceste cruauté dont je say mention en mes lettres? cela s'addresse seulement à vous, qui ne voulez recevoir mes promesses ny ma repentance. Je confesse que j'ay grandement offensé, mais non en ce que j'ay tousjours desnié; J'ay aussi peché *à l'encontre* d'aucuns de vos citoyens, ce que vous m'avez pardonné.

Je suis jeune.

Vous dites cependant, qu'apres m'avoir souvent pardonné, je retourne en semblables fautes. Un homme de mesme age que je suis, & destitué de conseil, ne peut il pas faillir deux ou trois fois, ou ne tenir pas quelquefois promesse, & apres se repentir de sa faute, en se corrigeant par l'usage des occur-

experience? Gif I may obtene pardoun, I protest I sall never mak sault agane. And I craif na uther thing, bot yat we may be at bed and buird togidder as husband and wyfe; and gif ze wil not consent heirunto, I sall never ryse out of yis bed. I pray zow, tell me zour resolutioun. God knawis how I am punischit for making my God of zow, and for haning na uther thocht bot on zow; and gif at ony tyme I offend zow, ze ar the cans, becaus, quhen ony offendis me, gif, for my refuge, I maicht playne unto zow, I wald speik it unto na uther body; bot quhen I heir ony thing, not being familiar with zow, necessitie constraina me to keip it in my breist; and yat causes me to tyne my wit for verray anger.

si veniam impetrare potuero, polliceor me nunquam posthac peccaturum. Nihil autem aliud peto, nisi ut communi mensâ & lecto, tanquam conjuges, utamur: ad hæc nisi tu consentias, numquam ex hoc lecto resurgam. Te rogo, ut mihi indices quid decreveris. Novit autem Deus quid pœnarum fecerim, quòd Deum mihi te fecerim, ac nihil aliud nisi te cogitem: quòd si quando te offendo, tu ipsa in causa es, nam cùm aliquis me offendit, si id perfugium haberem, ut apud te queri possem, ad neminem alium querelam deferrem; sed si quid audio, nec te familiariter utor, cogor id in pectore clausum tenere: quæ res ita me angit, ut mentem & consilium mihi prorsus excutiat.

Ege

I

occurrences? Que si je puis obtenir pardon, je promets cy apres de ne plus offenser. Je ne vous demande rien davantage, sinon que nous ne faisions qu'une table, & un lict, comme ceux qui sont mariez: à cela si vous ne consentez, je ne releveray jamais de ce lict. Je vous prie, de me faire entendre ce que vous avez deliberé: car Dieu sçayt quelle peine je porte, de ce que j'ay fait de vous un Dieu, & que je ne pense à autre chose qu'à vous: que si je vous offense quelquefois, vous en estes cause, veu que quand on m'offense, si j'avoye ce refuge, que je me peusse plaindre vers vous, je ne feroie ma complainte à autre; mais si j'entend quelque chose, & que

je

I anſwerit ay unto him, bot that wald be ovir lang to to wryte at lenth. I askit quhy he wald pas away in ye *Inglis* Schip. He denyis it, and ſweiris thairunto; bot he grantis that he ſpak with the Men. Efter this I inquyrit him of the inquiſitioun of *Hiegait*. He denyit the ſame, quhill I ſchew him the verray wordis was ſpokin. At quhilk tyme he ſaid, that *Mynto* had advertiſit him, that it was ſaid, that ſum of the counſell had brocht an letter to me to be ſubſcrivit to put him in Preſoun, and to ſlay him gif he maid reſiſtence. And he aſkit the ſame at *Mynto* himſelf; quha anſwerit, that he belevit ye ſame to be trew.

Ego ſemper ei reſpondebam; ſed nimis longum eſſet omnia perſcribere. Rogavi eum cur diſceſſum adornaret in iſta navi Anglica. Ille id pernegat, adjecto etiam juramento; ſed confeſſus eſt ſe cum Anglis colloquutum. Poſtea rogavi eum de quæſtione Gulielmi Hiegait. Id quoque negavit, donec ipſa verba, quæ prolata erant, ei detuliſſem. Tum dixit ſe certiorem à Minto factum, dici quendam è concilio literas de ſe mittendo in carcerem, ac, niſi pareret, occidendo, ad me detuliſſe ut ſubſcriberem: ac ſe idem ex ipſo Minto quæſiſſe; eumque reſpondiſſe, ſibi verum videri. De hoc capite eum crás conveniam. Quod ad reliqua de Gulielmo Hiegait,

The

je n'aye familiarité avec vous, je ſuis contraint de la retenir cloſe en mon cœur; ce qui me tourmente tellement, qu'il m'oſte du tout l'entendement & le conſeil.

Je luy reſpondoye tousjours, mais il ſeroit long de tout eſcrire. Je luy ay demandé pourquoy il deliberoit s'en aller en ce navire Anglois. Ce qu'il nia, voire avec jurement; mais il a confeſſé avoir parlé avec les Anglois. Après je l'ay enquis touchant la diſpute de Guillaume Hiegait. Ce qu'il a auſſi deſnié, juſques à ce que je luy ay rapporté les meſmes paroles qu'il avoit proferées. Alors il dit, qu'il eſtoit adverty par Minto, qu'on diſoit, qu'un du conſeil m'avoit apporté des lettres, afin de les ſigner, pour le faire mettre en priſon, voire, s'il n'obeïſſoit, pour le tuer. Et qu'il enquiſt le ſemblable de Minto, qui reſpondit, que cela luy ſembloit vray.

De

The morne I wil ſpeik to him upon this Point. As to the reſt of *Willie Hiegait*'s, he confeſſit it, bot it was the morne efter my cumming or he did it.

gait, ea confeſſus eſt; nec id niſi poſtridie quàm veneram.

He wald verray fane that I ſuld ludge in his ludgeing. I refuſit it, and ſaid to him, that he behovit to be purgeit, and that culd not be done heir. He ſaid to me, I heir ſay ze have brocht ane lytter with zow; bot I had rather have paſſit with zow. I trow he belevit that I wald have ſend him away Preſoner. I anſwerit, that I wald tak him with me to *Craigmillar*, quhair the mediciner and I micht help him, and not be far from my ſone. He anſwerit, that he was reddy when I pleiſit, ſa I wald aſſure him of his requeiſt.

Magnopere cupiebat ut ego in ejus hoſpitio apud eum diverterem. Ego recuſavi, ac dixi ei opus eſſe purgatione, nec id hîc fieri poſſe. Dixit ſe accepiſſe quòd lecticam mecum attuliſſem; ſe verò maluiſſe mecum unà proficiſci. Credebat, opinor, quòd in carcerem eum aliquò amandaturæ eſſem. Ego reſpondi, quòd ducturæ mecum eſſem ad Cragmillarium, ubi & medici & ego poſſemus ei adeſſe, neque longè à meo filio abeſſe. Ille reſpondit, ſe, ubi vellem, paratum eſſe, modò de eo quod peteret ſecurum ſe facerem.

He *Cupie-*

De ce chef je luy en parleray demain. Quant au reſte, touchant Guillaume Hiegait, il l'a confeſſé, mais non juſques au jour d'apres mon arrivée.

Il deſiroit fort que j'allaſſe loger en ſon hoſtel; ce que j'ay refuſé, luy diſant, qu'il avoit beſoin de purgation, & que cela ne ſe pouvoit faire. Il adjouſta, qu'il avoit entendu que j'avoye amené une litiere, & qu'il euſt mieux aymé aller enſemble avec moy. J'eſtime qu'il penſoit que je le vouluſſe envoyer priſonnier quelque part. Je reſpondy, que je le meneroye avec moy à Cragmillar, afin que là les medicins & moy le peuſſions ſecourir, & que je ne m'eſloi-

He deſyris na body to ſé him. He is angrie quhen I ſpeik of *Walcar*, and ſayis, that he ſall pluk the eiris out of his heid, and that he leis: For I inquyrit him upon that, and yat he was angrie with ſum of the Lordis, and wald threittin thame. He denyis that, and ſayis he luifis thame all, and prayis me to give traiſt to nathing aganis him. As to me, he wald rather give his lyfe or he did ony diſpleſure to me.

And efter yis he ſchew me of ſa mony lytil flattereis, ſa cauldly and ſa wyſely, that ze will abaſche thairat. I had almaiſt forzet that he ſaid, he culd not dout of me.

Cupiebat ne à quoquam conſpiceretur. Iraſcitur quoties ei mentionem Walcarii facio, ac ſe, dicit, aures ei è capite avulſurum, ac mentiri eum ait: nam de hac re eum interrogáram, ac de eo quòd iratus eſſet quibuſdam procerum, atque eis minaretur. Id negat, & ait omnes ſibi charos eſſe, ac me rogat ne quid ſecus de ſe crederem. Quod ad me attinet, ſe malle de vita diſcedere, quàm quicquam committere quod me offenderet.

Ac poſtea tantum minutarum adulationum tam moderatè, ac tam prudenter mihi effudit, ut tibi res admirationi ſit futura. Penè oblita eram, quòd, dixit, in hoc negotio Hiegaitnom.

gnaſſe de mon fils. Il reſpondit, qu'il eſtoit preſt d'aller, où je voudroye, pourveu que je le rendiſſe certain de ce qu'il m'avoit requis.

Il deſiroit de n'eſtre veu de perſonne. Il ſe faſche toutes les fois que je luy parle de Walcar, & dit, qu'il luy arrachera les oreilles de la teſte, & qu'il a menty: car je l'avoye interrogé de cela, & de ce qu'il s'eſtoit courroucé contre aucuns des ſeigneurs, & les avoit menaſſez. Ce qu'il nie, & dit qu'il les ayme tous, & me prie que je ne croye point autrement de luy: & quant à ce qui me touche, qu'il aymeroit mieux mourir, que de faire choſe qui me peuſt offenſer.

Or apres il m'a uſé de tant de petites flateries, avec tel poids & diſcretion, que vous en ſeriez eſtonné. J'avoye, peu s'en faut, oublié ce qu'il dit ſur le fait de Hiegait, qu'il

ne

in yis purpois of *Hiegaite*'s; for he wald never beleif yat I, quha was his proper fleſche, wald do dim ony evill; alſweill it was ſchawin that I refuſit to ſubſcrive the ſame: But as to ony *utheris* that wald perſew him, *at leiſt* he ſuld ſell his lyfe deir aneuch; bot he ſuſpectit na body, nor zit wald not; but wald luſe all yat I duſit.

He wald not let me depart from him, bot deſyrit yat I ſuld walk with him. I mak it ſeme that I beleive that all is trew, and takis heid thairto, and excuſit my ſelf for this nicht that I culd not walk. He ſayis, that he ſleipis not weil. Ze ſaw him never better, nor ſpeik mair humbler. And gif I had not ane

non poſſe de me quicquam ſuſpicari; ſe enim nunquam creditum, quòd ego, quæ pròpria ejus caro eſſem, quicquam mali ei facerem. Etiam ſe reſciſſe, quòd ego ei rei ſubſcribere recuſaſſem: quòd ſi quis ſuam vitam peteret, facturum ut ſatis magno ei conſtaret: ſed ſibi neminem nec ſuſpectum eſſe, nec futurum; ſed ſe omnes dilecturum quos ego diligerem.

Nolebat permittere ut à ſe diſcederem, ſed cupiebat ut unà ſecum vigilarem. Ego ſimulabam omnia videri vera, ac mihi curæ eſſe, atque excuſavi quòd illâ nocte vigilare non poſſem. Ait ſe non bene dormire: nunquam vidi eum meliùs habere, aut loqui humiliùs. Ac niſi experimento didiciſſem, quàm eſſet ejus cor cere-

ne peut rien ſoupçonner de moy, & qu'il ne croîra jamais que moy, qui ſuis ſa propre chair, luy faſſe aucun deſplaiſir; & qu'il ſçavoit bien, que j'avoye refuſé de ſouſcrire à cela. Que ſi quelqu'un cherchoit à luy oſter la vie, qu'il feroit en ſorte qu'elle luy ſeroit cherement venduë; mais que nul ne luy eſtoit, ou ſeroit ſuſpect; ains qu'il aymeroit tous ceux que j'aymoye.

Il ne vouloit point permettre que je m'en allaſſe, mais deſiroit que je veillaſſe avec luy: & je faingnoye que tout cela me ſembloit vray, & que je m'en ſoucioye beaucoup, & en m'excuſant, que je ne pouvoye veiller pour ceſte nuict-là, il dit, qu'il ne pouvoit bien dormir. Je ne l'ay jamais veu mieux porter, ne parler ſi doucement; & ſi je n'euſſe

ane prufe of his hart of waxe, and yat myne wer not of ane dyamont, quhairintill na ſchot can mak brek, bot that quhilk cummis furth of zour hand, I wald have almaiſt had pietie of him. Bot feir not, the place ſall hald unto the deith. Remember, in recompence thairof, that ze ſuffer not zouris to be wyn be that fals race that will travell na les with zow for the ſame.

I beleve thay have bene at ſchuillis togidder. He hes ever the teir in his eye; he ſalutis every body, zea, unto the leiſt, and makis pieteous careſſing unto thame, to mak thame have pietie on him. This day his father bled at the mouth and noſe; ges quhat preſage that is. I have

cererum, meum adamantinum, & quale nullum telum penetrare poſſet, niſi quod è tua manu veniat, prope erat, ut ejus miſerta fuiſſem: ſed ne time, præſidium ad mortem uſque cuſtodietur. Tu vide ne tuum capi ſinas a gente illa perfida, quæ non minore contentione tecum de hoc ipſo aget.

Arbitror in eadem ſchola doctos fuiſſe. Iſte ſemper in oculis habet lacrymam; ſalutat omnes, etiam uſque ad infimos, & miſeris modis eos ambit, ut ad ſui miſericordiam eos perducat. Hodie patri ejus ſanguis è naribus & ore fluxit; tu conjice quale id ſit præſagium. Nondum eum vidi,

appris par l'experience, combien il avoit le cœur mol comme cire, & le mien eſtre dur comme diamant, & lequel nul trait ne pouvoit percer, ſinon deſcoché de voſtre main, peu s'en euſt fallu que je n'euſſe eu pitié de luy: toutesfois ne craignez point, ceſte forteresſe ſera conſervée juſques à la mort; mais vous regardez que ne laiſſiez ſurprendre la voſtre, par ceſte nation infidele, qui avec non moindre opiniaſtreté debatra le meſme avec vous.

J'eſtime qu'ils ont eſté enſeignez en meſme eſcole. Ceſtuicy a tousjours la larme à l'œil; il ſaluë tout le monde, voire juſques au plus petits, & les flate d'une façon pitoyable, afin qu'il les ameine juſques à avoir compaſſion de luy. Aujourd'huy le ſang eſt ſorty du nez & de la bouche à ſon pere; vous

have not zit ſene him, he keipis his chalmer. The King deſyris that I ſuld give him meit with my awin handis; bot gif na mair traiſt quhair ze ar, than I ſall do heir.

This is my *firſt jornay:* I ſall end ye ſame ye morne. I wryte all thingis, howbeit thay be of lytill wecht, to the end that ze may tak the beſt of all to judge upon. I am in doing of ane work heir that I hait greitly. Have ze not deſyre to lauch to ſé me lie ſa weill, at ye leiſt to diſſembill ſa weill, and to tell him treuth *betwix handis?* He ſchawit me almaiſt all yat is in the name of the Biſchop and *Sudderland*, and zit I have never twichit ane word

di, continet enim ſe in cubiculo. Rex poſcit ut meis manibus ſibi tradam cibum; ſed tu nihilo magis iſtic ſis creditu-rus, quàm ego hîc ero.

Hæc eſt mea primi diei expeditio, *eandem cras finiam. Omnia ſcribo, etſi non ſunt magni ponderis, ut tu optimæ ſeligendo judicium facias. Ego in negotio mihi maximè ingrato verſor. Nunquid ſubit cupiditas ridendi, videndo me tam bene mentiri, ſaltem diſſimulare tam bene, ac* interim *vera dicere? Omnia mihi aperuit ſub nominibus Epiſcopi & Sutherlandi; nec tamen adhuc collocuta ſum, aut verbo attigi, quicquam eorum quæ tu mihi declarâſti; ſed tantùm vi*

pere; vous donc devinez maintenant quel eſt ce preſage. Je ne l'ay point encor veu, car il ſe tient en ſa chambre. Le Roy me requiert que je luy donne à manger de mes mains; or vous n'en croyez pas pardela rien d'avantage, pendant que je ſuis icy.

Voyla ce que j'ay *deſpeché pour mon premier jour*, eſperant achever demain le reſte. Je vous eſcry toutes choſes, encor qu'elles ſoient de peu d'importance, afin qu'en elliſant les meilleures, vous en faſſies jugement. Je ſuis occupée en une affaire qui m'eſt infiniement deſagreable. Ne vous prent-il pas envie de rire de me voir ainſi bien mentir, au moins de ſi bien diſſimuler en diſant verité? Il m'a tout deſcouvert ſoubs le nom de l'Eveſque & de Sutherland; et toutesfois je ne luy ay encor parlé, ny dit un ſeul mot, de ce que vous

m'avez

word of that ze schawit me; bot allanerly be force, flattering, and to pray him to assure himself of me. And be pleinzeing on the Bischop, I have drawin it all out of him. Ze have hard the rest.

vi adulationum & precum ago, ut à me sit securus: & conquerendo de Episcopo, omnia de eo expiscata sum: cetera audisti.

We ar couplit with twa fals races; the devil sinder us, and God knit us togidder for ever, for the maist faithfull coupill that ever he unitit. This is my faith, I will die in it.

Nos sumus conjuncti cum duobus infidis hominum generibus: diabolus nos sejungat, ac nos conjungat Deus in perpetuum, ut simus fidissimum par quod unquam junctum est. Hæc mea fides est, in ea volo mori.

Excuse I wryte evill, ze may ges ye half of it: bot I cannot mend it, becaus I am not weil at eis; and zit verray glaid to wryte unto zow quhen the rest are sleipand, sen I cannot sleip as thay do, and as I wald desyre, that is, in

Excusa quòd malè pingam, dimidium te oportet divinare; sed ego ei rei mederi non possum, non enim optimè valeo; & tamen magnâ fruor lætitiâ scribendo ad te cùm alii dormiunt; quando ego dormire non possum, ut illi faciunt, nec ut

m'avez declaré; ains seulement je le poursuy par force de flateries & prieres, afin qu'il s'asseure de moy. Et me plaingnant de l'Evesque, j'ay sçeu toutes choses de luy, & entendu le reste.

Nous sommes conjoints avec deux especes d'hommes infideles; le diable nous vueille separer, & que Dieu nous conjoingne à jamais, à ce que soyons deux personnes tres-fideles, si jamais autres ont esté conjointes ensemble. Voila ma foy, & veux mourir en icelle.

Excusez moy que j'escry mal, il faudra que vous en deviniez la moytié: mais je ne puis remedier à cela, car je ne suis pas à mon aise; & neantmoins j'ay une grande joye en vous escrivant pendant que les autres dorment, puis que de ma part je ne puis dormir comme eux, ny ainsi que je voudroye,

in zour armes, my deir luſe, quhome I pray God to preſerve from all evill, and ſend zow repois: I am gangand to ſeik myne till ye morne, quhen I ſall end my *Bybill*; bot I am faſchit that it ſtoppis me to wryte newis of myſelf unto zow, becaus it is *ſalang*. Advertiſe me quhat ze have deliberat to do in the mater ze knaw upon this point, to ye end that we may underſtand utheris weill, that nathing thairthrow be *ſpilt*.

I am *irkit*, and ganging to ſleip, and zit I ceis not to ſcrible all this paper in ſa mekle as reſtis thairof. Waryit mot this pokiſche man be that cauſes me haif ſa mekle pane, for without him I ſuld have an far pleſander ſubject

ut ego vellem, hoc eſt, in tuo complexu, mi care amice, à quo precor Deum ut omnia mala avertat, & quietem mittat. Ego eo ut meam quietem inveniam in craſtinum, ut tam mea biblia *finiam; ſed angor quòd ea me à ſcribendo de meipſa ad te impediat, quia tam diu eſt. Fac me certiorem quid, de re quam nôſti, decreveris, ut alter alterum intelligamus, ne quid ob id ſecus fiat.*

Ego nudata *ſum, ac dormitum eo, nec tamen me continere poſſum, quò minùs quod reſtat chartæ deformiter conſcribellem. Malè ſit iſti variolato, qui me tot laboribus exercet; nam abſque eo eſſet ut materiam multò elegantiorem ad*

droye, c'eſt à dire, entre les bras de mon tres cher amy, duquel, je prie Dieu, qu'il vueille deſtourner tout mal, & luy donner bon ſucces: je m'en vay pour trouver mon repos, juſques au lendemain, afin que je finiſſe icy ma *Bible*; mais je ſuis fachée que ce repos m'empeſche de vous eſcrire de mon fait, par ce qu'il *dure tant*. Faites moy ſçavoir ce que vous avez deliberé de faire touchant ce que ſçavez, afin que nous nous entendions l'un l'autre, & que rien ne ſe faſſe *autrement*.

Je ſuis *toute nuë*, & m'en vay coucher; & neantmoins je ne me puis tenir que je ne barbouille encor bien mal, ce qui me reſte de papier. Maudit ſoit ſe tavelé, qui me donne tant de travaux; car ſans lui j'avoye matiere plus belle pour diſcourir.

subject to discourse upon. He is not over mekle deformit, zit he hes reſſavit verray mekle. He hes almaiſt ſlane me with his braith; it is worſe than zour *uncle's*; and zit I cum na neirer unto him, bot in ane chyre at the bed-feit, and he being at the uther end thairof.

ad differendum haberem. Non magnopere deformatus eſt, multum tamen accepit. Penè me ſuo enecavit anhelitu; eſt enim gravior quàm tui propinqui; *& tamen non accedo propius ad eum, ſed in cathedra ſedeo ad pedes ejus, cùm ipſe in remotiſſima lecti parte ſit.*

The meſſage of the father in the gait.

Nuncius patris in itinere.

The purpois of Schir *James Hamiltoun.*

Sermo D. Jacobi Hamiltonii.

Of that the *Laird* of *Luſſe* ſchawit me of the delay.

De eo quod Luſſæ Comarchus *mihi retulit de dilatione.*

Of the demandis that he askit at *Joachim.*

De quibus interrogavit Joachimum.

Of my eſtait.

De ordinatione familiæ.

Of my company.

De meo comitatu.

Of the occaſioun of my cumming;

De cauſa mei adventûs.

And

courir. Il n'a pas eſté beaucoup rendu diforme, toutesfois il en a pris beaucoup. Il m'a quaſi tuée de ſon halene, car elle eſt plus forte que celle de voſtre *parent*; & neantmoins je n'approche pas pres de luy; mais je m'aſſieds en une chaire à ſes pieds, luy eſtant en la partie du lict plus eſloignée.

Du meſſager du pere ſur le chemin.

Du dire du ſieur Jacques Hambleton.

De ce que *le prevoſt* de Luſſe m'a rapporté touchant le retardement.

De ce qu'il s'eſt enquis à Joachim.

Du reglement de la famille.

De ma ſuite.

De la cauſe de mon arrivée.

De

And of *Joſeph.*

Item, The purpois that he and I had togidder.

Of the deſyre that he hes to pleis me, and of his repentance.

Of the interpretatioun of his letter.

Of *Willie Hiegaite*'s mater of his departing.

Of Monſiure de *Levingſtoun.*

I had almaiſt forzet, that Monſiure de *Levingſtoun* ſaid in the Lady *Reres* eir at ſupper, that he wald drink to ye folk yat I wiſt of, gif I wald pledge thame. And efter ſupper he ſaid to me, quhen I was lenand upon him warming me at the fyre, *Ze have fair going to ſé ſeik folk,* zit ze cannot be ſa welcum to thame

De Joſepho.

Item, De ſermone inter me & illum.

De ejus voluntate placendi mihi, & de ejus pœnitentia.

De interpretatione ſuarum literarum.

De negotio Gulielmi Hiegait, & de ſuo diſceſſu.

De domino de Leviſton.

Penè oblita eram, quòd dominus Leviſtonius D. Rereſiæ dixit in aurem, dum cœnaret, quòd præbiberet eis quos nôſſem, eâ lege ut ego rebiberem eorum nomine. Ac poſt cœnam dixit mihi, dum ad ignem caleſiebam cùm ei inniterer, Bella, inquit, hujuſmodi hominum viſitatio; *non tamen tanta è tuo acceſſu poteſt eis eſſe lætitia,*

De Joſeph.

Item, Du devis d'entre moy & luy.

De la volonté qu'il a de me complaire, & de ſa repentance.

De l'interpretation de ſes lettres.

Du fait de Guillaume Hiegait, & de ſon depart.

Du Sieur de Levingſtoun.

Peu s'en faut que je n'aye oublié, comme le Sieur de Levinſtoun a dit à l'oreille en ſoupant à Madamoiſelle Reres, qu'elle beut à ceux qu'elle cognoiſſoit, ſoubs condition que je le pleigeroye en leur nom. Et apres ſouper il me dit, comme je me chauffoye aupres du feu, eſtant appuyée ſur ſon eſpaule, *Voyla une belle viſitation de telles gens;* mais toutes-

thame as ze left ſum body this day in regrait, that will never be blyth quhill he ſé zow agane. I askit at him quha that was. With that he thriſtit my body, and ſaid, that ſum of his folkis had ſene zow in faſcherie; zé may ges at the reſt.

I wrocht this day quhill it was twa houris upon this bracelet, for to put the key of it within the lock thairof, quhilk is couplit underneth with twa cordounis. I have had ſa lytill tyme that it is evill maid; bot I ſall mak ane fairer in the meane tyme. Tak heid that nane that is heir ſé it, for all the warld will knaw it, becaus for haiſt it was maid in yair preſence.

tia, quanta in moleſtia quidam hodie relictus eſt, qui nunquam lætus erit, donec te iterum videbit. Ego de eo quæſivi quiſnam is eſſet. Ille arctius corpus meum comprimens, reſpondit, unus eorum qui te reliquerunt; tu quis ſis divinare potes.

Ego hodie elaboravi uſque ad horam ſecundam in hac armilla, ut clavem includerem, quæ ſubtus annexa eſt duobus funiculis; male autem facta eſt ob temporis anguſtiam, ſed faciam pulchriorem. Interim proſpice, ne quiſquam eorum qui hic ſunt videat, quia omnes mortales eam agnoſcent, tanta feſtinatione in omnium oculis facta eſt.

toutesfois la joye de noſtre venuë ne leur peut eſtre ſi grande, combien eſt la facherie à celuy qui a eſté delaiſſé ſeul aujourd'huy, & qui ne ſera jamais joyeux, juſques à ce qu'il vous ayt veuë. Derechef je luy demanday qui eſtoit ceſtuy là: luy m'embraſſant plus eſtroitement me reſpondit, c'eſt l'un de ceux qui vous ont laiſſée. Vous pouvez deviner qui eſt ceſtuy-là.

J'ay aujourd'huy travaillé juſques à deux heures en ce braſſelet, pour y enfermer la clef, qui eſt jointe au bas avec deux petites cordes. Il eſt mal fait, à cauſe du peu de temps qu'on a eu; mais j'en feray un plus beau. Cependant adviſez que perſonne de ceux qui ſont icy ne le voye, car tout le monde le cognoiſt, tant il a eſté fait à la haſte devant les yeux de chacun.

Mainte-

I am now paſſand to my faſcheous purpois. Ze gar me diſſemble ſa far, that I haif horring thairat; and ye caus me do almaiſt the office of a traitores. Remember how gif it wer not to obey zow, I had rather be deid or I did it; my hart bleidis at it. Summa, he will not cum with me, except upon conditioun that I will promeis to him, that I ſall be at bed and buird with him as of beſoir, and that I ſall leif him *na oſter*: And doing this upon my word, he will do all thingis that I pleis, and cum with me. Bot he hes prayit me to remane upon him quhil uther morne.

He ſpak verray bravely at ye beginning, as yis beirer will

Nunc proficiſcor ad inſtitutum meum odioſum. Tu me adeo diſſimulare cogis, ut etiam ipſa horream; ac tantum non proditricis partes me agere cogis. Illud reminiſcere, quòd niſi tibi obſequendi deſiderium me cogeret, mallem mori, quàm hæc committere; cor enim mihi ad hæc ſanguinem fundit. Breviter, negat ſe mecum venturum, niſi eâ lege, ut ei pollicear me communi cum eo menſâ & thoro uſuram velut antea, ac ne ſæpiùs eum derelinquam. Hoc ſi faciam, quicquid velim faciet, ac me commitabitur; ſed me rogavit, ut ſe exſpectarem in diem perendinum.

Valde ferociter ab initio loquebatur, uti qui has fert tibi nar-

Maintenant je vien à ma deliberation odieuſe. Vous me contraignez de tellement diſſimuler, que j'en ay horreur, veu que vous me forcez de ne joüer pas ſeulement le perſonnage d'une trahiſtreſſe. Qu'il vous ſouvienne, que ſi l'affection de vous plaire ne me forçoit, j'aymeroye mieux mourir que de commettre ces choſes; car le cœur me ſeigne en icelles. Bref, il ne veut venir avec moy, ſinon ſoubs ceſte condition, que je luy promette d'uſer en commun d'une ſeule table, & d'un meſme lict, comme auparavant, & que je ne l'abandonne *ſi ſouvent*: Et que ſi je le fay ainſi, il fera tout ce que je voudray, & me ſuivra. Mais il m'a prié, que je l'attendiſſe encor deux jours.

Au commencement il parloit fort aſprement, comme vous recitera celuy qui porte les preſentes, du devis eu avec les

will ſchaw zow, upon the purpois of the *Ingliſmen*, and of his departing: Bot in ye end he returnit agane to his humilitie.

He ſchawit, amangis uther purpoſis, yat he knew weill aneuch that my brother had ſchawin me yat thing, quhilk he had ſpokin in *Striviling*, of the quhilk he denyis ye ane half, and abone all, yat ever he came in his chalmer. For to mak him traiſt me, it behovit me to fenzé in ſum thingis with him: Thairfoir, quhen he requeiſtit me to promeis unto him, that quhen he was haill we ſuld have baith ane bed: I ſaid to him fenzeingly, and making me to beleve his promiſis, that gif he changeit not purpois betwix yis and that tyme, I wald be content thairwith; bot in the meane

turrabit, de colloquio cum Anglis, de ſuo diſceſſu; ſed tandem reverſus eſt ad ſuam humanitatem.

Inter alia conſilia quæ mihi retulit, ſe ſatis ſcire, quòd meus frater ad me detuliſſet, quæ ipſe cum eo egiſſet Sterlini; quarum rerum dimidium negavit, ac maximè illud, quòd fratris mei cubiculum eſſet ingreſſus. Ut ego facilius fidem apud eum aſſequerer, neceſſe mihi erat quædam fingendo ei obſecundare. Quamobrem cùm rogaret ut ei pollicerer, cùm primùm revaluiſſet; communem nobis fore lectum, ego diſſimulanter dixi, ac fingens me bellis ejus pollicitationibus fidem habere, me conſentire, niſi ille interea propoſitum mutaret; ſed interea videret ne quiſquam id reſciſceret, propterea quòd

Anglois, & de ſon depart: mais enfin il revint à ſa douceur.

Entre autres ſecrets qu'il me recita, il dit, qu'il ſçavoit bien, que mon frere m'avoit rapporté ce qu'il avoit fait avec luy à Stirling, des quelle choſes il a nié la moytié, & principalement, qu'il fuſt entré en la chambre de mon frere. Et afin qu'il me creuſt pluſtoſt, j'eſtoye contrainte de luy accorder quelque choſe en diſſimulant: parquoy, lors qu'il me priaſt que je luy promiſſe, qu'incontinent qu'il ſeroit guery, nous ne faiſions plus qu'un lict, je luy dy par diſſimulation, en faingnant, que je croyoye à ſes belles promeſſes, que je l'y accorderoye, pourveu qu'il ne changeaſt d'advis; mais cependant,

meane tyme I bad him tak heid that he leit na body wit thairof, becaus, to ſpeik amangis our ſelfis, the Lordis cuid not be offendit, nor will evill thairfoir: Bot thay wald ſeir in reſpect of the *boiſting* he maid of thame, that gif ever we aggreit togidder, he ſuld mak thame knaw the lytill compt thay tuke of him; and that he counſallit me not to purchas ſum of thame by him. Thay for this caus wald be in jeloſy, gif at anis, without thair knawledge, I ſuld brek the play ſet up in the contrair in thair preſence.

quòd proceres noſtris colloquiis offendi non poſſent, nec ideo malè velle: ſed in timore futuros quod comitatus *fuiſſet, ſi aliquando inter nos concordes eſſemus, ſe dàturum operàm ut intelligerent quàm parvi eum æſtimàſſent; item, quòd mihi conſuluiſſet ne gratiam quorundam ſeorſum à ſe expeterem. Has ob cauſas eos in magna ſuſpicione futuros, ſi ego faciem ſcenæ ad contrariam huic fabulam inſtructæ, in preſentia, eis inſciis, turbarem.*

He ſaid, *verray joyfully*, And think zow thay will eſteme zow the mair of that? Bot I am verray glaid that zè ſpeik to me of the Lordis; for

Tum ille vehementer lætus *ſubjecit, Et tu putas ne quod pluris illi te æſtimabunt ob hanc cauſam? Sed valde gaudeo quòd ſermonem de proceribus*

pendant, qu'il regardaſt que perſonne n'en ſçeuſt rien, parce que les Seigneurs ne pourroient eſtre offenſez de nos propos, ny conſequemment nous en vouloir mal. Ains ſeroient en crainte de ce qu'il m'auroit *ſuivy*. Et ſi nous pouvions eſtre d'acord enſemble, qu'il pourroit donner ordre, qu'ils entendroient combien peu ils l'avoient eſtimé. Item, de ce qu'il m'avoit conſeillé, que je ne recerchaſſe la bonne grace d'aucuns ſans luy. Et pour ces raiſons qu'ils ſeroient en grand ſoupçon, ſi je troubloye ainſi maintenant la face du theatre, qui avoit eſté appreſté pour jouër une autre fable.

Alors eſtant *grandement joyeux*, il adjouſta, Et penſez-vous que pour cela ils vous en eſtiment d'avantage? Mais je ſuis bien aiſe que vous avez fait mention des Seigneurs; mainte-

for I beleve at this tyme ze deſyre that we ſuld leif togidder in quyetnes: For gif it wer uthervyſe, greiter inconvenience micht come to us baith than we ar war of: bot now I will do quhatever ze will do, and will lufe *all that* ze lufe; and deſyris zow to mak thame lufe in lyke maner: For, ſen thay ſeik not my lyfe, I lufe thame all equallie. Upon yis point this beirer will ſchaw zow mony ſmall thingis. Becaus I have over mekle to wryte, and it is lait: *I give traiſt unto him upon zour word.* Summa, *he will ga upon my word to all places.*

bus injeciſti; nunc quidem credo te cupere, ut unà concorditer vivamus: nam ni ita eſſet, majora quàm uterque timemus incommoda utrique poſſent evenire; ſed nunc, quod tu vis, volo, & quod amabis amabo; & cupio ut eorum ſimiliter concilies amorem: quia poſtquam non petunt vitam meam, omnes amo ex æquo. Circa hoc caput hic tabellarius multa minuta tibi declarabit: quia nimis multa ſuperſunt ſcribenda, & jam ſerum eſt. Huic adhibebis fidem juxta tuum verbum, *Breviter*, meo juſſu quovis ibit.

Alace! I never diſſavit ony body: Bot I remit me altogidder to zour will. Send me

Hei mihi! nunquam quenquam decepi; ſed ego me in univerſum tuæ voluntati ſubjicio.

maintenant je croye, que vous deſirez que nous vivions enſemblement en paix: car s'il eſtoit ainſi, beaucoup plus grandes faſcheries nous pourroient advenir à tous deux, que nous ne craignons; mais à preſent je veux ce que vous voulez, & aimeray *ce que* vous aimerez; & deſire que pareillement vous acquieriez leur amitié: car puis qu'ils ne pourchaſſent à m'oſter la vie, je les aime tous eſgalement. Touchant ce chef, le porteur vous recitera pluſieurs particularitez: d'autant qu'il y a trop de choſes qui reſtent à eſcrire, & qu'il eſt deſia tard: *Vous adjouſterez foy ſelon voſtre parole.* En ſomme, *il ira ou vous voudrez par mon commandement.*

Helas! je n'ay jamais trompé perſonne; mais je me ſubmets en toutes choſes à voſtre volonté. Faictes moy ſçavoir

me advertiſement quhat I ſall do, and quhatſaever thing fall cum thairof, I ſall obey zow. Adviſe to with zourſelf, gif ze can find out ony mair ſecreit inventioun by medicine; for he ſuld tak medicine and the bath at *Cragmillar*. He may not cum furth of the hous this lang tyme.

Summa, be all that I can leirne, he is in greit ſuſpicioun, and zit notwithſtanding, he gevis credit to my word; bot zit not ſa far that he will ſchaw ony thing to me: bot nevertheles, *I ſall draw it out of him, gif ze will that I avow all unto him*. Bot I will never rejoyce to diſſaive ony body that traiſtis in me: Zit notwithſtanding ze may command me in all thingis. Have na evill opinioun of me for that

cio. *Fac me certiorem quid faciam, & quicunque ſequatur eventus, tibi obſequar. Etiam tecum perpende, an comminiſci queas aliquam occultiorem rationem per medicinam; ſumpturus eſt enim & medicinam, & balneum ad Cragmillarium: Non poteſt domo egredi ad multos dies.*

Breviter, quantum intelligere poſſum, in magna ſuſpicione verſatur, nihilo tamen minùs magnam habet fidem orationi meæ; nec tamen uſque adeo ut quicquam mihi effutiat: nihilo minùs ego ex eo, ſiquidem tu vis, omnia apud eum profitear & agnoſcam. Sed nunquam gaudebo in quovis homine qui mihi fidit, decipiendo: nihilo minùs tu mihi potes omnibus in rebus imperare. Noli ideo ſiniſtram opinionem de

voir ce que je doy faire; & quoy qu'il en puiſſe advenir, je vous obeïray. Et penſez en vous meſme, ſi pouvez trouver quelque moyen plus couvert que par breuvage; car il doit prendre medicine, & eſtre baigné à Cragmillar. Il ne peut ſortir du logis d'icy à pluſieurs jours.

Brief, à ce que j'en puis entendre, il eſt en grand ſoupçon; neantmoins il adjouſte beaucoup de foy à ma parole; mais non encores tant, qu'il n'en deſcouvre quelque choſe: toutesfois *je confeſſeray, & recongnoiſtray tout devant luy, ſi vous le trouvez bon*. Mais ſi ne m'eſiouiray-je jamais à tromper celuy qui ſe fie en moy: neantmoins vous me pouvez commander en toutes choſes. Ne concevez donc point de moy aucune

that caus, be reſſoun ze ar the occaſion of it zourſelf; becaus, for my awin particular revenge, I wald not do it to him.

. *He gevis me ſum chekis of yat quhilk I feir, zea, evin in the quick. He ſayis this far, yat his faultis wer publeiſt:* bot yair is that committis faultis, that belevis thay will never be ſpokin of; and zit thay will ſpeik of greit and ſmall. As towart the Lady *Reres*, he ſaid, I pray God that ſcho may ſerve zow for your honour: And ſaid, it is thocht, and he belevis it to be trew, that I have not the power of myſelf into myſelf, and that becaus of the refuſe I maid of his offeris. Summa, for certanetie he ſuſpectis of the

de me concipere; quia tu ipſe hujus rei mihi author es; nunquam enim iſtud in eum committerem, meæ propriæ ultionis causâ.

Interim me attingit in loco ſuſpecto; idque ad vivum hactenus proloquutus eſt, ſua crimina eſſe palam; *ſed ſunt qui majora committant, & opinantur ea ſilentio tegi; & tamen homines de magnis juxtà & parvis loquuntur. D. Reresia ait, Deum precor, ut officia quæ tibi præſtat, ſint tibi honori: ait etiam quoſdam credere, ac ſe id verum exiſtimare, me non habere poteſtatem mei intra me, idque quia recuſaverim conditiones à ſe oblatas. Breviter, certum eſt quòd de eo quod ſcis, ſuſpicetur, ac de vita etiam. Quòd ad*

eune ſiniſtre opinion, puis que vous-meſmes eſtes cauſe de cela; car je ne le feroye jamais contre luy pour ma vengeance particuliere.

Cependant il m'a donné attainte du lieu ſuſpect, & a juſques icy diſcouru bien au vif, que ces fautes ſont congneuës: mais qu'il y en a qui en commettent de plus grandes, encores qu'ils eſtiment qu'elles ſoient cachées par ſilence; & toutesfois que les hommes parlent des grands auſſi bien que des petits. Quant à Reres, il dit, je prie Dieu que les ſervices qu'elle vous fait, vous ſoient à honneur. Il dit auſſi, qu'il y en a qui croient, & que de ſa part il l'eſtime veritable, que je n'ay point en moy la puiſſance de moy-meſme, d'autant que j'ay refuſé les conditions qu'il avoit offertes. Brief, il eſt certain qu'il ſe

doute

the thing ze knaw, and of his lyfe. Bot as to the laſt, how ſone that I ſpak twa or thré gude wordis unto him, he rejoyſis, and is out of dout.

I ſaw him not this evening for to end zour bracelet, to the quhilk I can get na *lokkis*. It is reddy to thame: and zit I feir that it will bring ſum malheur, and may be ſene gif ze chance to be hurt. Advertiſe me gif ze will have it, and gif ze will have mair ſilver, and quhen I ſall returne, and how far I may ſpeik. He inragis when he heiris of *Lethingtoun*, or of zow, or of my brother. Of zour brother he ſpeikis nathing. He ſpeikis of the Erle of *Argyle*. I am in feir quhen I heir

ad poſterius, cùm primùm ego duobus aut tribus bonis verbis eum compello, gaudet, ac timere deſinit.

Non vidi eum hac veſperâ, quia tuam armillam conficiebam, cui nullam poſſum ceram *invenire, id enim unum ad perfectionem ei deeſt; & adhuc vereor ne aliquod ſe offerat infortunium, & conſpici poſſit, ſi te contingat læsi. Fac me certiorem num eam velis habere, & ſi pluſculum pecuniæ velis habere, & quando debeam redire, & quem in loquendo modum mihi ſtatuam. Inſanit ad mentionem de Lethintonio, de te, de fratre meo. De tuo fratre nihil loquitur. De Comite Argatheliæ in timore ver-*

doute de ce que ſçavez, & de ſa vie meſmes. Quant au reſte, ſoudain que je luy propoſe deux ou trois bonnes paroles, il ſe reſiouit, & n'a point de crainte.

Je ne l'ay point veu ceſte apres-diſnée, parce que je faiſoye voſtre braſſelet, auquel je ne puis accommoder *de la cire*; car c'eſt ce qui defaut à ſa perfection; & encor je crain, qu'il n'y ſurvienne quelque inconvenient, & qu'il ſoit recogneu, s'il advenoit que vous fuſſiez bleſſé. Faictes moy entendre ſi vous le voulez avoir, & ſi avez affaire de quelque peu plus d'argent; & quand je doy retourner, & quel ordre je tiendray à parler à luy. Il enrage quand je fay mention de Lethington, de vous & de mon frere. Il ne parle point de voſtre frere. Quant au Conte d'Argathley, je ſuis en crainte, toutes les fois qu'il en deviſe. Il s'aſ-

I heir him ſpeik; for he aſ-ſuris himſelf yat he hes not an evill opinioun of him. He ſpeikis nathing of thame that is out, nouther gude nor evill, bot fleis that point. His father keipis his chalmer, I have not ſene him.

All the *Hammiltounis* ar heir, that accompanyis me verray honorabilly. All the freindis of the uther convoyis me quhen I gang to ſé him. He deſyris me to cum and ſé him ryſe the morne betyme. For to mak ſchort, this beirer will tell zow the reſt. And gif I leirne ony thing heir, I will mak zow memoriall at evin. He will tell zow the ſhe occaſioun of my remaning. Burne this letter, for it is o-vir dangerous, and nathing weill ſaid in it; for I am think-

verſor, quoties eum audio loquentem; pro certo habet eum nihil de ſe male opinari. De eis qui extrà ſunt nihil, neque boni neque mali, loquitur, ſed ſemper hunc locum vitat. Pater ejus domi ſe continet, nondum enim vidi.

Omnes Hamiltonii hîc adſunt, & me comitantur valdè honorificè. Alterius omnes amici me comitantur quoties eum viſo. Petit à me ut cras tempori adſim, ut eum ſurgentem videam. Ut paucis abſolvam, hic tabellarius reliqua tibi narrabit. Si quid novi hîc diſcam, veſperi faciam commentarium. Ille tibi explicabit meæ moræ cauſam. Crema has literas, ſunt enim periculoſæ, nec quicquam bene in eis dictum; ego enim nihil cogito niſi moleſtias. Si fueris Edinburgi

ſeure qu'il ne penſe point de mal de luy. Quant à ceux qui ſont de dehors, il n'en parle ny en bien, ny en mal, ſeulement il a evité tousjours ce lieu. Son pere ſe tient touſjours au logis, & ne l'ay point encores veu.

Tous les Hambletons ſont icy, qui me font compagnie aſſez honnorable. Tous les amis de l'autre me ſuivent lorſque je le viſite. Il me prie, que je ſoye demain aſſez à temps pour le voir lever. Afin que je le face court, ce porteur vous dira le ſurplus. Si j'apprens icy quelque choſe le ſoir, je le mettray en memoire. Il vous declarera la cauſe de mon retardement. Bruſlez ces lettres, car elles ſont dangereuſes, & s'il n'y a rien qui ſoit bien couché; je ne penſe

que

thinkand upon nathing bot faſcherie. Gif ze be in *Edinburgh* at the reſſait of it, ſend me word ſone.

burgi cùm has accipies, fac me certiorem.

Be not offendit, for I gif not ovir greit credite. Now ſeing to obey zow, my deir luſe, I ſpair nouther honour, conſcience, haſarde, nor greitnes quhatſumevir; tak it, I pray zow, in gude part, and not eſter the interpretatioun of zour fals gude-brother, to quhome, I pray zow, gif na credite aganis the maiſt faithful luiſer that ever ze had, or ever ſall have.

Noli offendi, quia non nimium fido. Nunc poſtquam ob ſtudium tibi obſequendi, mi care amice, neque honori, neque conſcientiæ, nec periculis, neque quantævis magnitudini parco; rogo in bonam partem accipias, ac non juxta interpretationem fallacis fratris uxoris tuæ, cui rogo nullam adhibeas fidem adverſus fideliſſimam omnium quas aut habuiſti, aut habebis, amicam.

Sé not hir, quhais fenzeit teiris ſuld not be ſa mekle praiſit nor eſtemit, as the trew and faithful travellis quhilk I ſuſtene for to merite hir place. For obtening of the

Noli eam intueri, cujus fictæ lachrymæ non debent tanti eſſe, quanti fidi labores, quos ego perfero, ut merear in ejus locum ſuccedere: quem ut obtineam, ego eos prodo, idque adver-

que choſes faſcheuſes. Si vous eſtes à Edinbourg, quand vous recevrez ces lettres, faictes-le moy ſçavoir.

Ne vous offenſez point, ſi je me fie par trop. Maintenant donc, mon cher amy, puis que pour vous complaire, je n'eſpargne, ny mon honneur, ny ma conſcience, ny les dangers, ny meſmes ma grandeur quelle qu'elle puiſſe eſtre; je vous prie, que vous le preniez en la bonne part, & non ſelon l'interpretation du faux frere de voſtre femme, auquel je vous prie auſſi n'adjouſter aucune foy contre la plus fidele amye que vous avez eue, ou que vous aurez jamais.

Ne regardez point à celle, de laquelle les feinctes larmes ne vous doivent eſtre de ſi grand poix, que les fideles travaux que je ſouffre, afin que je puiſſe meriter de parvenir

the quhilk aganis my natural, I betrayis thame that may impeſche me. God forgive me, and God give zow, my only luſe, the hap and proſperitie quhilk zour humble and faithful luſe deſyris unto zow, quha hopis to be ſchortly ane uther thing to zow, for the reward of my irkſum travellis.

adverſus ingenium meum, qui impedimento eſſe poſſent. Deus mihi det veniam, & Deus tibi det, mi unice amice, eum ſucceſſum, & felicitatem, quam tua humilis & fidelis amica tibi optat, quæ brevi ſperat aliud de te in præmium mei moleſti laboris.

It is lait; I deſyre never to ceis fra wryting unto zow; zit now, after the kiſſing of zour handis, I will end my letter. Excuſe my evill wryting, and reid it twyſe over. Excuſe that thing that is ſcriblit, for I had na paper ziſterday quhen I wrait that of ye memoriall. Remember upon zour luſe, and wryte unto hir, and that verray oft. Luſe me as I ſall do zow.

Serum eſt; tamen nunquam cupio ceſſare à ſcribendo ad te; tamen nunc poſt oſcula manuum tuarum, finem meis literis imponam. Excuſa meam in pingendo imperitiam, eaſque relege. Excuſa curſionem characterum, quia heri chartam non habebam, cùm id quod in commentario erat, ſcriberem. Reminiſcere tuæ amicæ, ac ſæpe ad eam reſcribe. Redama me, uti ego te amabo.

Remem-

Re-

en ſon lieu. Pour lequel obtenir, je trahi, voire contre mon naturel, ceux qui m'y pourroient empeſcher. Dieu me le vueille pardonner, & vous doint, mon amy unique, tel ſuccez & felicité, que voſtre humble & fidele amye le ſouhaitte, laquelle eſpere en brief autre recompenſe de vous, pour ce mien facheux labeur.

Il eſt tard, neantmoins je ne deſire jamais ceſſer de vous eſcrire; et toutesfois, apres vous avoir baiſé les mains, je ſeray fin à mes lettres. Excuſez mon ignorance à eſcrire, & reliſez mes lettres. Excuſez la briefueté des characteres, car hier je n'avoye point de papier, quand j'eſcrivi ce qui eſt au memoire. Ayez ſouvenance de voſtre amye, & luy

reſcri-

Remember zow of the purpois of the Lady *Reres*.
Of the *Ingliſmen*.
Of his mother.
Of the Erle of *Argyle*.
Of the Erle of *Bothwell*.
Of the ludgeing in *Edinburgh*.

Reminiſcere ſermonis de Reresia.
De Anglis.
De matre ejus.
De Comite Argatheliæ.
De Comite Bothueliæ.
De hoſpitio Edinburgi.

reſcrivez ſouvent. Aimez moy, comme je vous aime; & Ayez memoire du propos de Madamoiſelle Reres.
Des Anglois.
De ſa mere.
Du Conte d'Arghley.
Du Conte de Bothwel.
Du logis d'Edimbourg.

LETTER II.

IT appeiris, that with zour abſence thair is alſwa joynit forzetfulnes, ſeand yat at zour departing ze promyſit to mak me advertiſement of zour newis from tyme to tyme. The waitting upon yame ziſterday cauſit me to be almaiſt in ſic joy as I will be at zour returning, quhilk ze have delayit langer then zour promeis was.

VIdetur, cum tua abſentiâ conjuncta eſſe obliviſcentia, præſertim cùm in tuo diſceſſu promiſeris, quòd me certiorem faceres, ſi quid incidiſſet tibi novi, per ſingula propè momenta. Eorum exſpectatio propemodum in tantam lætitiam me conjecit, quam in tuo reditu ſim acceptura, quem diſtuliſti ultrà quàm promiſeras.

As

Quod

IL ſemble, qu'avec voſtre abſence ſoit joinct l'oubly, veu qu'au partir vous me promiſtes de vos nouvelles, & toutesfois je n'en puis apprendre; de quoy l'eſperance m'a quaſi jettè en auſſi grande joye, que celle que je doy recevoir à voſtre

As to me, howbeit I have na farther newis from zow, according to my commiſſioun, I bring the Man with me to *Craigmillar* upon *Monounday*, quhair he will be all *Wedniſday*; and I will gang to *Edinburgh* to draw blude of me, gif in the meane tyme I get na newis in ye contrary fra zow.

Quod ad me attinet, quanquam nihil audiam præterea ex te novi, tamen juxta partes mihi commiſſas, hominem adduco mecum ad Cragmillarium die lunæ, ubi erit toto die Mercurii; ego autem ibo Edinburgum, ut mittam ex me ſanguinem, ſi nihil interea novi in contrarium de te audiam.

He is *mair gay* then ever ze ſaw him; he puttis me in remembrance of all thingis yat may mak me beleve he luifis me. Summa, ze will ſay yat he makis luſe to me: Of ye quhilk I tak ſa greit pleſure, yat I enter never where he is, bot incontinent I tak ye ſeiknes of my ſair ſyde, I am ſa troubillit with it. Gif *Paris* bringis me that quhilk I ſend

Eſt hilarior, ac vegetior, *quàm unquam eum videris; ſubjicit mihi in memoriam omnia, quæ efficere queant ut me credam ab eo amari. In ſumma, diceres quòd me cum ſumma obſervantia colat, & ambiat; qua de re ita magnam capio voluptatem, quòd nunquam ad eum ingrediar, quin dolor lateris mei infirmi me invadat, ita me malè habet. Si Paris ad*

à voſtre venue, laquelle vous avez differée plus que ne m'aviez promis.

Quant à moy, encor que je n'oye rien de nouveau de vous, toutesfois, ſelon la charge que j'ay receuë, j'ameine l'homme avec moy Lundy à Cragmillar, où il ſera tout le Mecredy; & j'iray à Edimbourg pour me faire tirer du ſang, ſi je n'entens rien de nouveau de vous au contraire.

Il eſt *plus joyeux, & diſpos*, que vous ne l'avez jamais veu; il me reduict en memoire toutes les choſes qui me peuvent faire entendre qu'il m'aime. En ſomme, vous diriez, qu'il m'honnore, & recherche avec grand reſpect: en quoy je pren ſi grand plaiſir, que je n'entre jamais vers luy, que la douleur de mon coſté malade ne me ſaiſiſſe, tant il me faſche-

I ſend him for, I traiſt it ſall amend me.

ad me afferet id, cujus causâ eum miſeram, ſpero me meliùs habiturum.

I pray zow, advertiſe me of zour newis at lenth, and quhat I ſall do in cace ze be not returnit quhen I am cum thair; for, in cace ze wirk not wyſely, I ſé that the haill burding of this will fall upon my ſchoulderis. Provide for all thing, and diſcourſe upon it firſt with zourſelf. I ſend this be *Betoun*, quha gais to ane day of law of the Laird of *Balfouris*. I will ſay na farther, ſaiſing that I pray zow to ſend me gude newis of zour voyage. From *Glaſgow* this *Setterday* in the Morning.

Oro, fac me certiorem de tuis rebus prolixè, & quid mihi ſit faciendum, ſi tu non eris reverſus cùm egò illuc venero; quia, niſi tu eum geras prudenter, videò totum onus in meos humeros inclinaturum. Prò ſpice omnia, ac priùs tecum rem expende. Hæc tibi mitto per Betonem, qui profiſciſcitur ad diem dictum D. Balfurio. Non dicam plura, niſi quòd te rogo ut de tuò itinere me certiorem facias. Glaſcuæ hoc Sabbato manè.

faſche. Si Paris m'apportoit ce pourquoy j'avoye envoyé, j'eſpere que je me porteroye mieux.

Je vous prie, faictes moy ſçavoir bien au long de vos affaires, & ce qu'il me faut faire, ſi vous n'eſtes de retour quand je ſeray là arrivée; car ſi vous ne conduiſez la choſe ſagement, je voy que tout le faix retournera ſur mes eſpaules. Regardez à tout, & premierement eſpluchez le faict en vous-meſmes. Je vous envoye ceci par Beton, qui s'en ira au jour aſſigné au Sieur Balfurd. Je ne vous en diray d'avantage, ſinon pour vous prier que me faciez entendre de voſtre voyage. A *Glaſcwo* ce *Samedy* matin.

LET-

LETTER III.

I Have walkit laiter thair up then I wald have done, gif it had not bene to draw ſum thing out of him, quhilk this beirer will ſchaw zow; quhilk is the faireſt commoditie that can be offerit to excuſe *zour* affairis. I have promyſit to bring him to him the morne. *Put ordour to it*, gif ze find it gude.

Now, Schir, I have brokin my promeis; becaus ze commandit me nouther to wryte nor ſend unto zow. Zit I have not done this to offend zow. And gif ze knew the feir yat I have preſently, ze wald not have ſa mony contrary ſuſpicionis in zour thocht; quhilk notwithſtanding I treit and chereis, as pro-

Dutiùs illic morata ſum, quàm volebam, niſi id factum fuiſſet ut aliquid ex eo excuſarem, quod hìc tabellarius tibi indicabit; quæ eſt belliſſima occaſio, quæ ſe poterat offerre ad excuſandam noſtra negotia. Promiſi me ipſum cras ad eum adducturam. Tu rem cura, ſi tibi commoda videtur.

Nunc, domine, ego pactum violavi; quia tu vetuiſti ne vel ſcriberem, vel mitterem ad te. Non tamen hoc feci quo te offenderem. Et ſi ſcires quanto in metu ego ſum in præſentia, non tot in animo haberes contrarias ſuſpiciones; quibus tamen ego faveo, & boni conſulo, tanquam profectis ab ea re, quam ego omnium quæ ſub cœlo

J'Aye veillé plus tard la haut, que jen'euſſe fait, ſi ce n'euſt eſté pour tirer ce que ce porteur vous dira; que je trouve la plus belle commodité pour excuſer *voſtre* affaire, qui ſe pourroit preſenter. J'ay promis, que je luy meneray demain ceſtuy-là. *Vous aiez en ſoin*, ſi la choſe vous ſemble commode.

Maintenant j'ay violé l'accord; car vous aviez deffendu que je n'eſcriviſſe, ou que je n'envoyaſſe par devers vous: peantmoins je ne l'ay faict pour vous offenſer. Et ſi vous ſçaviez en quell crainte je ſuis à preſent, vous n'auriez point tant de ſoupçons contraires en voſtre eſprit; leſquels toutesfois

proceeding from the thing in the warld that I maist desyre, and seikis fastest to haif, quhilk is zour gude grace; of the quhilk my behaviour sall assure me. As to me, I sall never dispair of it, and prayis zow, according to zour promeis, ro discharge zour hart unto me: Utherwayis I will think that my malhure, and the gude handling of *hir* that hes not ye third part of the faithfull nor willing obedience unto zow that I beir, hes wyn, aganis my will, yat advantage over me, quhilk the second luse of *Jason* wan: not that I will compair zow unto ane sa unhappy as he was, nor zit myself to ane sa unpietifull ane woman as scho. Howbeit,

cælo sunt maximè cupio, & diligentissimè persequor, qui est tuus favor; de quo mea me officia certam & securam facient. Quod ad me attinet, nunquam de eo desperabo; ac te rogo, ut juxta tua promissa animum tuum mihi exponeres: alioquì suspicabor fieri malo meo fato, & siderum favore exga illas, (quæ nec tertiam habent partem fidelitatis, & voluntatis tibi obsequendi, quam ego habeo) ut ipsæ, velut secundæ Jasonis amicæ, me invitâ, priorem apud te locum gratiæ occupaverint; nec hoc eo dico, quo te cum homine, ed quâ ille erat infelicitate, comparem, nec me cum muliere tam alienâ à misericordia quàm illa erat; quanquam tu me cogis aliquan

fois je supporte, & pren en bonne part, comme provenans de la chose que je desire le plus de toutes celles qui sont soubs le ciel, & que je poursuy avec extreme diligence, à sçavoir vostre amitié, dont tant de devoirs que je fay me rendent certaine, & assurée. Quant à moy, je n'en desespereray jamais, & vous prie, que suivant vos promesses, vous me faciez entendre vostre affection: autrement j'estimeray que cela se faict par mon mal-heureux destin, & par la faveur des astres envers *celles*, qui toutesfois n'ont une tierce partie de loyauté, & volonté que j'ay de vous obeïr, si elles, comme si j'estoye une seconde amye de Jason, malgré moy, occupent le premier lieu de faveur: ce que je ne dy pour vous accomparer à cet homme en l'infelicité qu'il avoit, ny moy avec une femme toute esloignée de misericorde, comme estoit celle-là.

beit, ze caus me to be sum-thing lyke unto hir in ony thing that tuichis zow, or yat may preserve and keip zow unto his, to quhome only ze appertene; gif it be sa that I may appropriate that quhilk is wyn throch faithfull, zea, only luifing of zow, as I do, and sall do all the dayis of my lyfe, for pane or evill that can cum thairof. In recompanse of the quhilk, and of all the evillis quhilk ze have bene caus of to me, remember zow upon the place heir beside.

I craif with that ze keip promeis to me the morne; bot that we may meit togidder, and that ze gif na faith to suspicionis without the certanetie of thame. And I craif

ei parte ut illi sim similis in omnibus iis rebus quæ ad te pertinent, aut quæ te servare & custodire queant illi, cujus unius juris tuus es: siquidem id tanquam meum mihi vindicare possim, quod paravi te unum fideliter, imo unicè amando (quod & facio, & faciam dum vixero) & fœtu a omnis laboris & periculi, quæ illinc impendere poterunt. Et ob hæc omnia mala, quorum tu mihi causa fuisti, hanc rependе gratiam, ut loci memineris qui hic vicinus est.

Non postulo ut cras mihi promissa serves, sed ut congrediamur, & ut nullam fidem suspicionibus adhibeas, nisi rebus exploratis. Ego verò nihil aliud à Deo peto, nisi ut ea intelli-

Combien que vous me contraignez estre en aucune partie semblable à elle, en toutes les choses qui vous concernent, ou qui vous peuvent garder, & conserver à celle, à laquelle seule vous estes entierement de droict: car je vous puis m'attribuer comme mien, qui vous ay aquis seul loyaument, en vous aimant aussi aultquement comme je fay, & feray tant que je viveray, me rendant asseurée contre les travaux & dangers qui en pourroit advenir. Et pour tous ces maux, desquels m'avez esté la cause, rendez moy ceste faveur, que vous ayez souvenance de lieu qui est prochain d'icy.

Je ne demande pas que vous me teniez promesse demain; ains que nous nous assemblions, & que n'adjoustiez point de foy aux suspicions, sinon apres l'experience faicte. Je ne demande

craif na uther thing at God, but that ze may knaw that thing that is in my hart quhilk is zouris; and that he may preserve zow from all evill, at the leist sa lang as I have lyfe, quhilk I repute not precious unto me, except in sa far as it and I baith ar aggreabill unto zow. I am going to bed, and will bid zow gude nicht. Advertise me tymely in the morning how ze have fairin; for I will be in pane unto I get worde. *Mak gude watch*, gif the burd eschaip out of the caige, or without hir Mate. As ye turtur I sall remane alone for to lament the absence, how schort yat sa ever it be. This letter will do with ane gude hart, that thing

telligas quæ sunt in animo meo, qui est tuus; & ut te præservet ab omni malo, saltem dum mihi supererit vita, quam & ego non duco mihi caram, nisi quatenus & ego, & illa tibi placemus. Ego eo cubitum, & tibi vale dico. Fac me certiorem summo mane de tua valetudine; ego enim ero in molestia donec intelligam. Si avis evaserit è cavea, aut sine compare, velut turtur, ego remanebo sola ut lamenter absentiam tuam quamlibet brevem. Hæc epistola libenter faciet quod ego ipsa facere non potero, nisi fortè tu, quod metuo, jam dormias. Non sum ausa scribere præsentibus Josepho, Sebastiano & Joachimo, qui nihil aliud quàm dis-

cess-

demande autre chose à Dieu, fors qu'entendiez ce que j'ay en l'esprit, qui est vostre; & qu'il vous garentisse de tout mal, au moins pendant que je seray en vie, laquelle je ne tien point chere, sinon, en tant que moy & elle, vous sommes agreables. Je m'en vay coucher, & vous dy à Dieu. Faites moy certaine de bon matin de vostre portement; car je seray en peine jusques à ce que je l'entende. Comme l'oyseau eschappé de la cage, ou la tourtre, qui est sans compagne, ainsi je demeureray seule, pour pleurer vostre absence, quelque brieve qu'elle puisse estre. Ceste lettre fera volontiers ce que je ne pourray faire moy-mesmes, si d'aventure comme

thing quhilk I cannot do myſelf, gif it be not that I have feir that ze ar in ſleiping. I durſt not wryte this beſoir *Joſeph, Baſtiane,* and *Joachim,* that did bot depart evin quhen I began to wryte.

ceſſerant, cùm ego cepi hæc ſcribere.

je crain vous ne dormez deſia. Je n'ay oſé eſcrire en preſence de Joſeph, Sebaſtian & Joachim, qui ne faiſoient que de partir quand j'ay commencé à eſcrire ces choſes.

LETTER IV.

MY hart, alace! muſt the foly of ane woman quhais unthankfulnes toward me ze do ſufficiently knaw, be occaſioun of diſpleſure unto zow, *conſidering yat I culd not have remeidit thairunto without knawing it?* And ſen that I perſavit it, I culd not tell it zow, for that I knew not how to governe myſelf thairin: For nouther in that, nor in ony uther thing, will I tak upon me to do ony thing without knawledge of zour will, quhilk I beſeik zow let me underſtand; for I will follow it all my lyfe, mair willingly than zow ſall declair it to me; and gif ze do not ſend me word this nicht quhat ze will that I ſall do, I will red myſelf of it, and hasard to

MOn cœur, helas! faut-il que la folie d'une femme dont vous cognoiſſez aſſez l'ingratitude vers moy, ſoit cauſe de vous donner déplaiſir, *veu que je n'y pouvoye mettre remede, ſans les donner à cognoiſtre?* Et depuis que je m'en ſuis apperceuë, je ne le vous pouvoye dire, pource que je ne ſçavoye pas comme m'y gouverner. D'autant qu'en cecy, ny en autre choſe, je ne veux point entreprendre de rien faire, ſans que je cognoiſſe quelle eſt voſtre volonté, que je vous ſupplie me faire entendre; car je l'executeray toute ma vie, voire plus volontiers que ne me le voudriez declarez: que ſi vous ne me mandez des nouvelles ceſte nuit, de ce que vous

to caus it to be interpryſit and takin in hand, quhilk micht be hurtfull to that quhairunto baith we do tend. And quhen ſcho ſall be maryit, I beſeik zow give me ane, or ellis I will tak ſic as ſall content zow for thair conditiounis; bot as for thair toungis or faithfulnes towart zow, I will not anſwer. I beſeik zow yat ane opinioun of uther perſoun be not hurtfull in zour myade to my conſtancie. *Miſtruſt me*; bot quhen I will put zow out of dout, and cleir myſelfe, refuſe it not, my deir luſe, and ſuffer me to mak zow ſum pruſe be my obedience, my faithfulnes, conſtancie, and voluntarie ſubjectioun, quhilk I tak for the pleſandeſt gude that I micht reſſaif, gif ze will accept it; and mak na ceremonie at it, for ze culd do me na greiter outrage, nor give mair mortall greif.

vous voulez que je face, je m'en depeſcheray, & me hazarderay de l'entreprendre; ce que pourroit nuire à ce que nous deſſeignons tous deux. Et quand elle ſera mariée, je vous prie de m'en donner une autre, ou bien j'en prendray quelqu'une, dont j'eſtime que la façon vous contentera; mais quant à leur langue & fidelité envers vous, je n'en voudroye pas reſpondre. Je vous ſupplie, que l'opinion d'une autre n'eſloingne voſtre affection de ma conſtance. *Vous meffiez vous de moy*, qui vous veux mettre hors de doute, & declarer mon innocence, O ma chere vie, ne le refuſez pas, & ne ſouffrez que je vous donne eſpreuve de mon obeïſſance, fidelité, conſtance, & volontaire ſubjection, que je prend à treſgrand plaiſir, autant que je le puis avoir, ſi vous l'acceptez ſans ceremonie, car vous ne me ſçauriez faire plus grand outrage, ny offence plus mortelle.

LETTER V.

ALlace! my Lord, quhy is zour traiſt put in ane perſoun ſa unworthie, to miſtraiſt that quhilk is hailſely zouris?

MOnſieur, helas! pourquoy eſt voſtre fiance miſe en perſonne ſi indigne pour ſoupçonner ce qui eſt entiere-

zouris? I am wod. Ze had promyſit me, that ze wald reſolve all, and yat ze wald ſend me word every day quhat I ſuld do. Ze haif done nathing yairof. I advertiſit zow weill to tak heid of zour fals brother in law: He come to me, and without ſchawing me ony thing from zow, *tald me that ze had willit him to wryte to zow that that I ſuld ſay, and quhair and quhen ze ſuld cum to me, and that that ze ſuld do tuiching him*: and thairupon hes preichit unto me yat it was ane fuliſche interpryſe, and that with myne honour I culd never marry zow, ſeing that being maryit *ze did cary me away*, and yat his folkis wald not ſuffer it, and that the Lordis wald unſay yameſelfis, and wald deny that thay had ſaid. To be ſchort, he is all contrarie. I tald him, that ſeing I was cum ſa far, gif ze did not withdraw zour ſelf of zour ſelf, that na perſwaſioun, nor deith itſelf ſuld mak me fail of my promeis. As tuiching the place ze are tó negligent, pardoun me, to remit zour ſelf thairof unto me. Cheis it zour ſelf, and ſend me word of it: And in the meane tyme I am ſeik, I will differ, as tuiching the mater it

entierement voſtre? J'enrage. vous m'aviez promis, que vous vous reſouldriez en toutes choſes, & que chacun jour vous m'envoiriez dire ce que j'auroye à faire. Vous n'en avez rien fait. Je vous veux bien advertir que vous preniez bien garde à voſtre deſloyal beau frere: il vint vers moy, ſans me faire apparoiſtre que c'eſtoit de voſtre part, *& me dit, que vous l'aviez requis, qu'il vous eſcrivit ce que je vous voudroye dire, & où, & quand je pourroye aller à vous, & ce que vous deliberiez faire de luy*; & ſur cela il me remonſtra, que c'eſtoit une folle entrepriſe, & que pour mon honneur je ne vous pouvoye prendre à mary, puis que vous eſtiez marié, *ny aller avec vous*; & que ſes gens meſmes ne le ſouffriroient pas, voire que les Seigneurs contrediroyent à ce que en ſeroit propoſé. Bref, il ſemble qu'il nous ſoit du tout contraire. Je luy reſpondy, veu que j'en eſtoye venuë ſi avant, que ſi vous ne vous retractiez, nulle perſuaſion, non pas meſmes la mort, me feroit manquer à ma promeſſe. Touchant la place, pardonnez-moy, ſi je vous dy que vous eſtes trop negligent de vous remettre à

moy

it is tó lait. It was not lang of me yat ze have not thocht thairupon in time. And gif ze had not mair changéit zour mynd, ſen myne abſence, then I have, ze ſuld not be now tó ask ſic reſolving. Weill, thair wantis nathing of my part; and ſeing that zour negligence dois put us baith in the danger of ane falſ brother, gif it ſuccedet not weill, I will never ryſe agane. I ſend this beirer unto zow, for I dar not traiſt zour brother with thir letteris, nor with the diligence. He ſall tell zow in quhat ſtait I am, and judge ze quhat amendment yir new ceremonies have brocht unto me. I wald I wer deid, for I fé all gais ill. Ze promyſit uther maner of mater of zour *foirſeing*, bot abſence hes power over zow, quha haif *twa ſtringis to zour bow*. Diſpatch the anſwer that I faill not, and put na traiſt in zour brother for this interpryſe, for he hes tald it, and is alſo ill aganis it. God give zow gude nicht.

Choiſiſſez-la donc vous-meſmes, & m'en advertiſſez: cependant je ne ſuis à mon aiſe, car il eſt ja trop tard, & n'a pas tenu à moy que vous n'y ayez penſé de bonne heure. Et ſi vous n'euſſiez changé d'opinion depuis mon abſence, non plus que moy, vous ne demanderiez maintenant d'en eſtre reſolu. Tant y a qu'il n'y a point de faute de ma part; & en cas que voſtre negligence ne nous mette tous deux au danger d'un deſloyal beau frere, ſi les choſes ne ſuccedent, jamais ne puiſſe-je bouger de ceſte place. Je vous envoye ce porteur, d'autant que je n'oſe commettre ces lettres à voſtre beau frere, qui n'uſera auſſi de diligence. Il vous dira de mon eſtat. Jugez quel amendement m'ont apporté ces nouvelles ceremonies. Je voudroye eſtre morte, car je voy que tout va mal. Vous me promiſtes bien autre choſe par vos *premieres promeſſes*; mais l'abſence a pouvoir ſur vous, *qui avez deux cordes en voſtre arc*. Depechez vous de me faire reſponſe, afin que je ne faille, ne me voulant fier en voſtre frere, car il en a babillé, & y eſt du tout contraire. Dieu vous donne la bonne nuict.

LET-

LETTER VI.

OF the place and ye tyme, I remit my ſelf to zour brother and to zow. I will follow him, and will faill in nathing of my part. He findis mony difficulteis: I think he dois advertiſe zow thairof, and quhat he deſyris for the handling of himſelf. As for the handling of myſelf, I hard it anis weill devyſit.

Methinkis that zour ſervices, and the lang amitie, having ye gude will of ye Lordis, do weill deſerve ane pardoun, gif abone the dewtie of ane ſubject yow advance yourſelf, not to conſtrane me, bot to aſſure yourſelf of ſic place neir unto me, that uther admonitiounis or forane perſwaſiounis may not let me from conſenting to that that ye hope your ſervice ſall mak yow ane day to attene: And to be ſchort, to mak yourſelf ſure of the Lordis, and fré to mary; and that ye are conſtranit for your ſuretie, and to be abill to ſerve me faithfully, to uſe ane humbil requeiſt,

DU lieu, &. de l'homme je m'en rapporte à voſtre frere & à vous. Je le ſuivray, & ne faudray en rien de ma part. Il trouve beaucoup de difficultez: je penſe qu'il vous en a adverty, & de ce qu'il deſiroit, pour bien jouer ſon perſonnage. Quant à jouer le mien, je ſçay comme je m'y dois gouverner, me ſouvenant de la façon que les choſes ont eſté deliberées.

Il me ſemble que voſtre long ſervice, & la grande amitié & faveur que vous portent les Seigneurs, meritent bien que vous obteniez pardon, encor qu'en cecy vous vous avanciez aucunement par deſſus le devoir d'un ſubjet. Or eſt-il que vous entreprenez de le faire, non pas afin de me forcer, *& tenir captive*, ains pour vous rendre aſſeuré pres de moy, & que les remonſtrances & perſuaſions des autres ne m'empeſchent de conſentir à ce que vous eſperez que voſtre ſervice vous fera un jour obtenir. Bref, c'eſt pour vous aſſeurer des ſeigneurs, & vous mettre en liberté

queiſt, joynit to ane importune actioun.

And to be ſchort, excuſe yourſelf, and perſwade thame the maiſt ye can, yat ye ar conſtranit to mak perſute aganis zour enemies. Ze ſall ſay aneuch, gif the mater or ground do lyke yow; and mony fair wordis to *Lethingtoun*. Gif ye lyke not the deid, ſend me word, and leif not the blame of all unto me.

berté de vous marier; comme y eſtant contraint pour voſtre ſeureté, à ce que puis apres me ſervant loyaument, vous me puiſſiez preſenter une humble requeſte, conjointe toutesfois avec importunité.

Excuſez vous donc, & les perſuadez le plus que pourrez, que vous eſtes forcé par neceſſité de faire ainſi voſtre pourſuite à l'encontre de vos ennemis. Vous aurez dequoy dire aſſez, ſi l'argument & le ſubjet vous plaiſt; & donnez beaucoup de belles paroles à Ledington. Que ſi cela ne vous ſemble bon, advertiſſez m'en, & n'en mettez pas du toute la faute ſur moy.

LETTER VII.

MY Lord, ſen my letter writtin, zour brother in law yat was, come to me verray ſad, and hes askit me my counſel, quhat he ſuld do efter to morne, becaus thair be mony folkis heir, and amang utheris the Erle of *Sudderland*, quha wald rather die, conſiddering the gude thay have ſa laitlie reſſavit of me, than ſuffer me to be caryit away, thay conducting me; and that he feirit thair ſuld ſum

MOnſieur, depuis ma lettre eſcrite, voſtre beau frere, qui fuſt, eſt venu à moy fort triſte, & m'a demandé mon conſeil de ce qu'il feroit apres demain, pource qu'il y a beaucoup de gens icy, & entre autres le Conte de Southerland, qui aymeroient mieux mourir, veu le bien que je leurs ay fait depuis n'a gueres, que de ſouffrir que je fuſſe emmenée, eux me conduiſans; & d'autre part qu'il

ſum troubil happin of it: Of the uther ſyde, that it ſuld be ſaid that he wer unthankfull to have betrayit me. I tald him, that he ſuld have reſolvit with zow upon all that, and that he ſuld avoyde, gif he culd, thay that wer maiſt miſtraiſtit.

He hes reſolvit to wryte thairof to zow be my opiniоun; for he hes abaſchit me to ſé him ſa unreſolvit at the neid. I aſſure myſelf he will play the part of an honeſt man: Bot I have thocht gude to advertiſe zow of the feir he hes yat he ſuld be chargeit and accuſit of treſſoun, to ye end yat, without miſtraiſting him, ze may be the mair circumſpect, and that ze may have ye mair power. For we had ziſterday mair then iii. C. hors of his and of *Leving-ſtoun*'s. For the honour of God, be accompanyit rather with mair then les; for that is the principal of my cair.

I go to wryte my diſpatche, and pray God to ſend us ane happy enterview ſchortly. I wryte in haiſt, to the end ye may be advyſit in tyme.

craint, que s'il en ſurvenoit quelque trouble, on ne l'eſtimaſt ingrat, comme s'il m'avoit trahie. Je luy dy, qu'il devoit eſtre reſolu de cela avec vous, & mettre hors de ſa maiſon ceux deſquels on ſe meffioit le plus.

Suivant ce mien advis, il s'eſt reſolu de vous en eſcrire; & me ſuis eſtonnée de le voir ſi peu reſolu en temps de neceſſité. Je m'aſſeure bien qu'il ſera tout d'honneſte homme; mais je vous ay bien voulu advertir de la crainte qu'il a d'eſtre chargé & accuſé de trahiſon, à ce que, ſans vous meffier de luy, vous y regardiez de plus pres, & que vous vous rendiez d'autant plus fort. Car nous avions hier plus de trois cens chevaux des ſiens, & de Leviſton. Pour l'amour de Dieu ſoyez pluſtoſt accompagné de trop, que de trop peu; car c'eſt le principal de mon ſoucy.

Je m'en vay achever ma depeſche, & prie Dieu, que nous nous puiſſions entrevoir bientoſt en joye. Je vous eſcry en diligence, afin que ſoyez adverty à temps.

LETTER VIII.

MY Lord, gif the diſpleſure of zour abſence, of zour forzetfulnes, ye feir of danger ſa promiſit be everie ane to zour ſa luifit perſone,

MOnſieur, ſi l'ennuy de voſtre abſence, celuy de voſtre oubly, la crainte du danger, tant prouvé d'un chacun à voſtre tant aymée perſonne *,

may gif me conſolatioun, I leif it to zow to juge, ſeing the unhap that my cruell lot and continuall miſadventure hes hitherto promyſit me, following ye misfortunes and feiris as weill of lait, as of ane lang tyme bypaſt, the quhilk ze do knaw. Bot for all that, I will in na wiſe accuſe zow, nouther of zour lytill remembrance, nouther of zour lytill cair, and leiſt of all of zour promeis brokin, or of ye cauldnes of zour wryting, ſen I am ellis ſa far maid zouris, yat yat quhilk pleiſis zow is acceptabill to me; and my thochtis ar ſa willingly ſubdewit unto zouris, that I ſuppois yat all that cummis of zow proceidis not be ony of the cauſis foirſaid, bot rather for ſic as be juſt and reſſonabill, and ſic as I deſyre myſelf. Quhilk is the fynal order that ze promyſit to tak for the ſuretie and honorabil ſervice of ye only uphald of my lyfe. For quhilk alone I will preſerve the ſame, and without the quhilk I deſyre not bot ſuddane deith. And to teſtifie unto zow how lawly I ſubmit me under zour commandementis, I have ſend zow, in ſigne of homage, be *Paris*, the ornament of the heid, quhilk is the cheif gude of the uther memberis, inferring thairby that, be ye ſeiſing of zow in the poſſeſſioun of the ſpoile of that quhilk is principall, the remnant cannot be bot ſubject unto zow, and with conſenting of the hart. In place quhairof, ſen I have ellis left it unto zow, I ſend unto zow ane ſepulture of hard ſtane, collourit with blak, ſawin with teiris and bones. The ſtane

* We have no more of this either in *French* or *Latin*.

I compair to my hart, that as it is carvit in ane ſure ſepulture or harbor of zour commandementis, and abone all, of zour name and memorie that ar thairin incloſit, as is my hear in this ring, never to cum furth, quhill deith grant unto yow to ane trophee of victorie of my banes, as the ring is fullit, in ſigne that yow haif maid ane full conqueis of me, of myne hart, and unto yat my banes be left unto yow in remembrance of your victorie and my acceptabill luſe and willing, for to be better beſtowit then I merite. The ameling that is about is blak, quhilk ſignifyis the ſteidfaſtnes of hir that ſendis the ſame. The teiris ar without number, ſa ar the dreddouris to diſpleis yow, the teiris of your abſence, the diſdane that I cannot be in outwart effect youris, as I am without fenzeitnes of hart and ſpreit, and of gude reſſoun, thocht my meritis wer mekle greiter then of the maiſt profite that ever was, and ſic as I deſyre to be, and ſall tak pane in conditiounis to imitate, for to be beſtowit worthylie under your regiment. My only wealth, reſſaif thairfoir in als gude part ye ſame, as I have reſſavit your marriage with extreme joy, the quhilk ſall not part furth of my boſum, quhill yat mariage of our bodyis be maid in publict, as ſigne of all that I outher hope or deſyris of blis in yis warld. Zit my hart feiring to diſpleis you as mekle in the reiding heirof, as I delite me in ye writing, I will mak end, efter that I have kiſſit zour handis with als greit affectioun as, I pray God (O ye only uphald of my lyfe) to gif yow lang and bliſſit lyfe, and to me zour gude favour, as the only gude yat I deſyre, and to ye quhilk I pretend. I have ſchawin unto this beirer that quhilk I have leirnit, to quhome I remit me, knawand the credite that ze gaif him, as ſcho dois that will be for ever unto zow humbill and obedient lauchfull wyfe, that for ever dedicates unto zow hir hart, hir body, without ony change, as unto him that I have maid poſſeſſour of hart, of quhilk ze may hald zow aſſurit, yat unto ye deith ſall na wayis be changeit, for evill nor gude ſall never mak me go from it.

LET-

NUMB. IX.

LOVE SONETTIS.

I. O Goddis, have of me compaſſioun,
And ſchaw quhat certane pruſe
I may give, quhilk ſall not ſeme to him vane,
Of my luſe and fervent affectioun.
Hélas! is he not alreddy in poſſeſſioun
Of my body, of hart that refuſis na pane,
Nor diſhonour in the lyfe uncertane,
Offence of freindis, nor worſe affliction?
For him I eſteme all my freindis les than nathing,
And I will have gude hope of myne enemies.
I have put in haſard for him baith fame and conſcience.
I will for his ſaik renounce the warld,
I will die to ſet him fordwart:
Quhat remanis to gif prufe of my conſtancie?
II. In his handis and in his full power,
I put my ſone, my honour, and my lyfe,
My countrie, my ſubjectis, my ſaule, all ſubdewit

O Dieux, ayez de moy compaſſion,
Et m'enſeignez quelle preuve certaine
Je puis donner, qui ne luy ſemble vaine,
De mon amour & ferme affection.
Las n'eſt-il pas ja en poſſeſſion
Du corps, du cœur, qui ne refuſe peine,
Ny deſhonneur en la vie incertaine,
Offence de parens, ne pire affliction?
Pour luy tous mes amis, j'eſtime moins que rien,
Et de mes ennemis je veux eſperer bien.
J'ay hazardé pour luy & nom & conſcience.
Je veux pour luy au monde renoncer,
Je veux mourir pour le faire avancer:
Que reſte plus pour prouver ma conſtance?
Entre ſes mains, & en ſon plain pouvoir,
Je mets mon fils, mon honneur, & ma vie,
Mon païs, mes ſubjets, mon ame aſſubjettie

To him, and hes nane uther will
For my ſcope, quhilk without diſſait
I will follow, in ſpite of all invy
That may enſew: For I have na uther deſyre,
Bot to mak him perſaif my faithfulnes:
For ſtorme of fair wedder that may cum,
Never will it change dwelling or place.
Schortly I ſall give of my treuth ſic pruſe,
That he ſall knaw my conſtancie without fictioun,
Not be my weiping, or fenzeit obedience,
As uther have done, bot be uther experience.

HI. Scho for hir honour awis zow obedience:
I in obeying zow may reſſaif diſhonour,
Not being (to my diſpleſure) zour wyfe, as ſcho;
And zit in this point ſcho ſall have na preheminence.
Scho uſis conſtancie for hir awin profite,
For it is na lytill honour to be maiſtres of zour gudis:
And I for luiſing zow may reſſaif blame,
And will not be overcum be hir in loyall obſervance.

Scho

Eſt toute à luy, & n'ay autre vouloir
Pour mon objet, que ſans le decevoir
Suivre je veux, malgré toute l'envie
Qu'iſſir en peut. Car je n'ay autre envie,
Que de ma foy luy faire appercevoir:
Que pour tempeſte, ou bonaſſe qu'il face,
Jamais ne veut changer demeure ou place.
Bref, je feray de ma foy telle preuve,
Qu'il cognoiſtra, ſans faute, ma conſtance;
Non par mes pleurs, ou feinte obeïſſance,
Comme autres ſont, mais par diverſe eſpreuve.

Elle, pour ſon honneur, vous doit obeïſſance:
Moy vous obeïſſant, j'en puis recevoir blaſme,
N'eſtant, à mon regret, comme elle, voſtre femme;
Et ſi n'aura pourtant en ce point préminence.
Pour ſon prouſit elle uſe de conſtance,
Car ce n'eſt peu d'honneur d'eſtre de vos biens dame:
Et moy, pour vous aimer, j'en puis recevoir blaſme,
Et ne luy veux ceder en toute l'obſervance.

Elle

Scho hes na apprehenſioun of zour evill,
I feir ſa all appeiring evill, that I can have na reſt.
Scho had zour acquentance be conſent of hir freindis,
I, aganis all thair will, have borne zow affectioun;
And not the les, my hart, ze dout of my conſtance,
And of hir faithfulnes ze have firme aſſurance.

IV. Be zow, my hart, and be zour alliance,
Scho hes reſtoirit hir hous unto honour,
Be zow ſcho is becum to that greitnes,
Of quhilk hir freindis had never aſſurance.
Of zow, my welth, ſcho gat the acquentance,
And hes conqueiſt the ſame tyme zour hart.
Be zow ſcho hes pleſure and gude lueke,
And be zow hes reſſavit honour and reverence,
And hes not loſt bot the rejoyſance
Of ane unpleſand fule quhilk ſcho luifit deirly.
Then I moane hir not to luſe ardently
Him that hes nane in wit, in manheid,
In bewtie, in bountie, in treuth, nor in conſtancie,

Elle de voſtre mal n'a l'apprehenſion,
Moy je n'ay nul repos, tant je crain l'apparence.
Par l'advis des parens elle enſt voſtre accointance;
Moy, malgré tous les miens, vous porte affection,

Et de ſa loyauté prenez ferme aſſeurance.

PAR vous, mon cœur, & par voſtre alliance,
Elle a remis ſa maiſon en honneur,
Elle a joüy par vous de la grandeur,
Dont tous les ſiens n'avoient nulle aſſeurance.
De vous, mon bien, elle a eu la conſtance,
Et a gaigné pour un temps voſtre cœur,
Par vous elle a eu plaiſir en bon heur,
Et pour vous a honneur & reverence,
Et n'a perdu ſinon la joüiſſance
D'un faſcheux ſot qu'elle avoit cherement.
Je ne la plain d'aimer donc ardement
Celuy qui n'a en ſens, n'y en vaillance,
Ny en beauté, en bonté, ny conſtance,

Ony Point

Ony ſecond: I leif in the beleif.
V. Quhen ze luifit hir, ſcho uſit cauldnes,
Gif ze ſufferit for hir luſe paſſioun,
That cummis to greit affectioun of luſe:
Hir ſadnes ſchew the triſteſſe of hir hart,
Taking na pleſure of zour vehement burning.
In hir cloithing ſcho ſchew unſenzeitly,
That ſcho had na feir, that imperfectioun
Culd deface hir out of that trew hart.
I did not ſé in hir the feir of zour deith,
That was worthy of ſic huſband and Lord.
Schortly ſcho hes of zow all hir welth,
And hes never weyit nor eſtemit
One ſa greit hap, bot ſen it was not hirs,
And now ſcho ſayis that ſcho luifis him ſa weill.
VI. And now ſcho beginnis to ſé,
That ſcho was of verray evill judgement,
To eſteme the luſe of ſic ane luifer,
And wald fane diſſaif my luſe

Point de ſecond. Je vy en ceſte ſoy.
QUANT vous l'aimiez, elle uſoit de froideur,
Si vous ſouffriez pour s'amour paſſion,
Qui vient d'aimer de trop d'affection,
Son doigt monſtroit la triſteſſe du cœur.
N'aiant plaiſir en voſtre grand ardeur.
En ſes habits monſtroit ſans fiction,
Qu'elle n'avoit paour, qu'imperfection
Peuſt l'effacer hors de ce loyal cœur.
De voſtre mort je ne vis la peaur,
Que meritoit tel mary & ſeigneur.
Somme de vous elle a eu tout ſon bien,
Et n'a priſé, n'y jamais eſtimé,
Une ſi grand heur, ſinon puis qu'il n'eſt ſien,
Et maintenant dit l'avoir tant aimé.
ET maintenant elle commence à voir,
Qu'elle eſtoit bien de mauvais jugement,
De n'eſtimer l'amour d'un tel amant,
Et voudroit bien mon amy decevoir

Be wrytingis and paintit leirning,
Quhilk not the les did not breid in hir brane,
Bot borrowit from sum feat author,
To fenzé ane sturt, and have nane.
And for all that hir paintit wordis,
Hir teiris, hir plaincts, full of dissimulatioun,
And hir hie cryis and lamentatiounis,
Hes won that point, that ze keip in stoir,
Hir letteris and wrytingis, to quhilk ze gif traist,
Zea, and luifis and belevis hir mair then me.
VII. Zow beleif hir, helas! I persaif it tó weill,
And callis in dout my firme constancie,
O myne only welth, and my only hope,
And I cannot assure zow of my treuth.
I sé that ze esteme me licht,
And be na way assurit of me,
And dois suspect (my hart) without ony appeiring caus,
Discrediting me wrangously.
Ze do not knaw the lufe I beir to zow.

Par les escrits tous fardez de sçavoir,
Qui pourtant n'est en son esprit croissant,
Ains emprunté de quelque auteur luisant,
A faint tresbien un envoy sans l'avoir.
Et toutesfois ses paroles fardéez,
Ses pleurs, ses plaincts remplis de fictions,
Et ses hautz cris & lamentations,
Ont tant gaigné, que par vous sont gardéez
Ses lettres, escrites, ausquels vous donnez foy,
Et si l'aimez, & croiez plus que moy.
Vous la croyez, las! trop je l'apperçoy,
Et vous doutez de ma ferme constance,
O mon seul bien, & ma seule esperance,
Et ne vous puis asseurer de ma foy.
Vous m'estimez legiere, qui je voy,
Et si n'avez en moy nulle asseurance,
Et soupçonnez mon cœur sans apparence,
Vous meffiant à trop grand tort de moy.
Vous ignorez l'amour que je vous porte.

Ze ſuſpect that uther luſe tranſportis me.
Ze think my wordis be bot wind.
Ze paint my verray hart as it wer of waxe.
Ze imagine me ane woman without judgement;
And all that increſſis my burning.
VIII. My luſe increſſis, and mair and mair will increſs,
Sa lang as I leif, and I ſall hald for ane greit felicitie
To have only part in that hart,
To the quhilk at lenth my luſe ſall appeir
Sa cleirly, that he ſall never dout.
For him I will ſtryve againis wan-weird,
For him I will recerſe greitnes,
And ſall do ſa mekle, that he ſall knaw
That I have na welth, hap, nor contentatioun,
Bot to obey and ſerve him trewly.
For him I attend all gude fortune,
For him I will conſerve helth and lyfe,
For him I deſyre to enſew courage,
And he ſall ever find me unchangeabill.

Vous ſoupçonnez qu'autre amour me tranſporte.
Vous eſtimez mes paroles du vent.
Vous deſpeignez de cire mon las cœur.
Vous me penſez femme ſans jugement;
Et tout cela augmente mon ardeur.
Mon amour croiſt, & plus en plus croiſtra,
Tant que vivray, & tiendray à grandheur
Tant ſeulement d'avoir part en ce cœur,
Vers qui enfin mon amour paroiſtra
Si treſclair, que jamais n'en doutera.

Pour luy je veux rechercher la grandeur,
Et ſenty tant que de vray congnoiſtra
Que je n'ay bien, heur, ne contentement,
Qu'à l'obeïr & ſervir loyaument.
Pour luy j'attendz toute bonne fortune,
Pour luy je veux garder ſanté & vie,
Pour luy tout vertu de ſuivre j'ay envie,
Et ſans changer me trouvera tout'une.

IX. For him alſo I powrit out mony teiris,
Firſt quhen he made himſelf poſſeſſor of this body,
Of the quhilk then he had not the hart.
Efter he did give me ane uther hard charge,
Quhen he bled of his blude greit quantitie,
Throw ye greit ſorrow of ye quhilk come to me that dolour,
That almaiſt caryit away my lyfe, and ye feir
To tyne the only ſtrenth that armit me.
For him ſen I have deſpiſit honour,
The thing only that brings felicitie.
For him I have hazardit greitnes and conſcience,
For him I have forſakin all kin and freindis,
And ſet aſyde all uther reſpectis,
Schortly I ſeik the aliance of zow only.
X. Of zow, I ſay, only uphalder of my lyfe,
I only ſeik to be aſſurit;

Zea, and dar preſume ſa mekle of my ſelf,
To wyn zow in ſpite of all invy:

Pour luy auſſi j'ay jetté mainte larme,
Premier qu'il fuſt de ce corps poſſeſſeur,
Duquel alors il n'avoit pas le cœur.
Puis me donna un autre dur alarme,
Quand il verſa de ſon ſang mainte dragme,
Dont de grief me vint laiſſer douleur,

Qui m'en penſa oſter la vie & frayeur,
De perdre, las! le ſeul rampart qui m'arme.
Pour luy depuis j'ay mepriſé l'honneur,
Ce qui nous peult ſeul pourvoir de bonheur.
Pour luy j'ay hazardé grandeur & conſcience,
Pour luy tous mes parens j'ay quitté & amis,
Et tous autres reſpectz ſont à part mis,
Brief, de vous ſeul je cherche l'alliance.
De vous, je dis, ſeul ſouſtien de ma vie,
Tant ſeulement je cerche m'aſſeurer;
Et ſi oſe de moy tant preſumer,
De vous gaigner maugré toute l'envie;

For that is the only desyre of zour deir lufe,
To serve and lufe zow trewly,
And sa to esteme all wan haples then nathing,
And to follow zour will with myne,
Ze sall knaw with obedience,
Not forzetting the knawledge of my leill dewtie,
The quhilk I sall studie to the fine that I may ever pleis zow,
Loving nathing bot zow, in ye subjectioun
Of quhome I will, without ony fictioun,
Leif and die; and this I consent.

XI. My hart, my blude, my saule, my cair,
Helas! zow had promyfit yat I suld have yat plesure
To devise with zow at leysure,
All the nicht quhair I ly and languische heir,
My hart being overset with extreme feir,
Seing absent the butt of my desyre.
Feir of forzetting sumtyme takis me,
And uther tymes I feir that lufesum hart

Car c'est le seul desir de vostre chere amie,
De vous servir, & loyaument aimer,
Et tous malheurs moins que rien estimer,
Et vostre volonté de la mienne suivre
Vous congnoistrez aveques obeïssance,
De mon loyal devoir n'obmettant la sciéance,
A quoy j'estudiray pour tousjours vous complaire,
Sans aimer rien que vous, soubs la subjection
De qui je veux sans nulle fiction,
Vivre & mourir; & à ce j'obtempere.

Mon cœur, mon sang, mon ame, & mon soucy,
Las! vous m'avez promis qu'aurons ce plaisir
De deviser aveques vous à loisir,
Toute la nuict, ou je languis icy,
Ayant le cœur d'extreme paour transy,
Pour voir absent le but de mon desir.
Crainte d'oublir un coup me vient saisir,
Et l'autre fois je crains que endurci

Be not hardinit aganis me,
Be ſum ſaying of ane wickit reporter:
Uther tymes I feir ſum aventure,
That be the way ſuld turne abak my lufe,
Be ſum troublous and new accident.
O God, turne abak all unhappy augure.

XII. Not ſeing zow as zow had promyſit,
I put my hand to the paper to wryte,
Of ane difference that I have willit copy.
I cannot tell quhat ſall be zour judgement,
Bot I knaw weill quha can beſt lufe,
Ze may tell quha ſall wyn maiſt.

Soit contre moy voſtre aimable cœur,
Par quelque dit d'un meſchant rapporteur:
Une autre fois je crain quelque aventure,
Qui par chemin deſtourne mon amant,
Par un faſcheux, & nouveau accident:
Dieu deſtourne tout malheureux augure.

Ne vous voyant ſelon qu'avez promis,
J'ay mis la main au papier pour eſcrire,
D'un different que j'ay voulu tranſcrire.
Je ne ſçay pas quel ſera voſtre advis;
Mais je ſçay bien qui mieux aimer ſçaura,
Vous diriez bien qui plus y gaignera.

MEMORANDUM.

THat in the caſtell of *Edinburgh* thair was left be the Erle *Bothwell*, befoir his fleing away, and was ſend for be ane *George Dagliſche* his ſervand, quha was takin by ye Erle of *Mortoun*, ane ſmall gylt coffer, not fully ane fute lang, being garniſchit in ſundrie places with the *Romane* Letter F. under ane Kingis crowne; quhairin wer certane letteris and wrytingis well knawin, and be aithis to be affirmit to have bene writtin with the Quene of *Scottis* awin hand to the Erle *Bothwell*.

Beſyde thay wrytings, thair was alſwa extant a wryting writtin in *Romane* hand in *French*, to be avowit to be writ-

tin

tia be the ſaid Quene of *Scottis* hirſelf, being ane promeis of marriage to the ſaid *Bothwell*: Quhilk wryting being without dait, and thocht ſum wordis thairin ſeme to the contrarie, zit is upon credibill groundis ſuppoſit to have bene maid add writtin be hir befoir the deith of hir huisband. Ye tennor quhairof thus beginnis: BUCHANAN's *Detection.*

NUMB. X.

The firſt Contract produced by James Stewart *Earl of* Murray *at* London *.

NOus MARIE, par la grace de Dieu, Royne d'Eſcoſſe, douayere de France, &c. promettons fidellement, & de bonne foy, & ſans contraynte, à *Jaques Hepburn* Conte de *Boduel*, de n'avoir jamays autre eſpoulx & mary que luy, & de le prendre pour tel toute & quant fois qu'il m'en requerira, quoy que parents, amys ou autres, y ſoient contrayres. Et puis que Dieu a pris mon feu mary *Henry Stuart* dit *Darnley*, & que par ce moien je ſois libre, n'eſtant ſoubs obeïſſance de pere, ni de mere, des mayntenant je proteſte que, lui eſtant en meſme liberté, je ſeray preſte, & d'accomplir les ceremonies requiſes au mariage: que je lui promets devant Dieu, que j'en prantz à teſmoignaſge, & la preſente, ſignée de ma mayn e ecrit ce ———

MARIE R.

NUMB. XI.

The ſecond Contract produced by the Earl of Murray *at* London.

AT *Setoun*, the V. day of *April*, the zeir of God 1567, the richt excellent, richt heich and michtie Princes, *Marie*, be the grace of God, Quene of *Scottis*, conſidering the

* From the pretended Original, *Cotton* Library, *Caligula*, c. 1.

the place and eſtait quhairin Almightie God hes conſtitute hir heichnes, and how, be the deceis of the King hir huſband, hir Majeſtie is now deſtitute of ane Husband, leving ſolitarie in the ſtait of wedowheid: In the quhilk kynde of lyfe hir Majeſtie maiſt willingly wald continew, gif ye weill of hir realme and ſubjectis wald permit: Bot on the uther part, conſiddering the inconvenicncis may follow, and the neceſſitie quhilk the realme hes, yat hir Majeſtie be couplit with ane husband, hir Heichneſs hes inclynit to mary. And ſeing quhat incommoditie may cum to this realme, in cace hir Majeſtie ſuld joyne in mariage with ony forane Prince of ane ſtrange nation, hir Heichnes hes thocht rather better to zeild unto ane of hir awin ſubjectis: Amangis quhome hir Majeſtie findis nane mair abill, nor indewit with better qualitcis, then the richt nobill, and hir deir couſin, *James* Erle *Bothwell*, &c. of quhais thankfull and trew ſervice hir Heichnes, in all tymes bypaſt, hes had large pruſs and infallibill expe-rience. And ſeing not only the ſame gude mynd conſtantly perſevering in him, bot with that ane inward affection and hartly luſe towardis hir Majeſtie, hir Heichneſs, amangis the reſt, hes maid hir choſe of him: And thairfoir, in the preſence of the eternall God, faithfully, and in the word of ane Prince, be thir preſentis, takis the ſaid *James* Erle *Bothwell* as hir lawfull husband, and promittis and obliſſis hir Heichnes, that how ſone the proces of divorce, intentit be-twixt ye ſaid Erle *Bothwell* and Dame *Jane Gordoun*, now his pretenſit ſpous, beis endit be the ordour of ye lawis, hir Majeſtie ſall, God willing, thairefter ſchortly mary and tak the ſaid Erle to hir husband, and compleit the band of ma-trimonie with him, in face of haly kirk, and ſall never mary nane uther husband bot he only, during his lyfetyme. And as hir Majeſtie, of hir gratious humanitie and proper motive, without deſerving of the ſaid Erle, hes thus inclynit hir fa-vour and affection towardis him, he humblie and reverentlie acknawledging the ſame, according to his bound dewtie, and being als fré and abill to mak promeis of mariage, in reſpect of the ſaid proces of divorce, intentit for divers reſſonabill cauſis, and that his ſaid pretenſit ſpous hes thairunto conſen-tit,

tit, he preſentlie takis hir Majeſtie as his lauchfull ſpous in the preſence of God, and promittis and obliſſis him, as he will anſwer to God, and upon his fidelitie and honour, that, in all diligence poſſibill, he ſall proſecute and ſet fordward the ſaid proces of divorce alreddy begunne and intentit betwix him and the ſaid Dame *Jane Gordoun* his pretenſit ſpous, unto the fynal end of ane decreit and declarator thairin. And incontinent thairefter, at hir Majeſteis gude will and pleſure, and quhen hir Heichneſs thinkis convenient, ſall compleit and ſolemnizat, in face of haly kirk, ye ſaid band of matrimony with hir Majeſtie, and luſe, honour and ſerve hir Heichneſs, according to the place and honour that it hes pleiſit hir Majeſtie to accept him unto, and never to have ony uther for his wyſe, during hir Majeſteis lyfetime: In faith and witneſſing quhairof, hir Heichneſs and the ſaid Erle hes ſubſcrivit this preſent faithfull promeis with yair handis, as followis, day, zeir and place foirſaidis, befoir thir witneſſis, *George* Erle of *Huntly*, and maiſter *Thomas Hepburne* Perſoun of *Aulhamſtock*, &c. *Sic ſubſcribitur*,

MARIE R.

JAMES Erle BOTHWELL.

Heir note, that this contract was maid the V. of *Apryll*, within VIII. oulkis efter the murther of the King, quhilk was ſlane the X. of *Februar* befoir; alſo it was maid VII. dayis befoir that *Bothwell* was acquytit, be corrupt judgement, of the ſaid murther.

Alſwa it appeiris be the wordis of the contract itſelf, that it was maid befoir ſentence of divorce betwix *Bothwell* and his former wife, and alſwa in verray treuth was maid befoir ony Sute of divorce intentit or begune betwene him and his former wyſe, thocht ſum wordis in this contract ſeme to ſay utherwyſe. Quhilk is thus provit; for this contract is daitit ye V. of *Apryll*, and it planely appeiris, be the judiciall actis befoir the twa ſeverall Eccleſiaſtical ordinarie judges, quhairin is contenit the haill proces of the divorce betwene the ſaid Erle and Dame *Jane Gordoun* his wyſe, that the ane of the

ſame

ſame proceſſis was intentit and begun the XXVI. day of *Apryll*, and the uther the XXVII. BUCHANAN's *Detection*.

NUMB. XII.

The true Contract of Marriage between Q. Mary *and* James *Duke of* Orknay, *Earl* Boithvile, &c. *

AT *Edinburgh*, the xiiii. day of *Maii*, the zeir of God MD. thrie ſcoir ſevin zeris. It is appointit, agreit, contractit, and finalie accordit betwix the richt excellent, richt heich, and michtie Princeſſe MARIE, be the grace of GOD, Quene of *Scottis*, dowarrier of *France*, on the ane part, and the richt noble and potent Prince JAMES Duke of *Orknay*, Erle *Boithvile*, Lord *Halis*, *Creichtoun* and *Liddiſdaill*, greit Admirall of this realme of *Scotland*, on the uther part, in manner, forme, and effect as efter followis; that is to ſay: Forſamekle as hir Majeſtie, conſidering with hirſelf how almichtie GOD hes not onlie placit and conſtitute hir Heines to regnne owir this realme, and during hir lyvetyme to governe the people and inhabitantis thairof, hir native ſubjectis; bot als that of hir royall perſoun ſucceſſioun mycht be producit, to enjoy and poſſes this kingdome and dominionis thairof, quhen GOD ſall call hir Hienes to his mercy out of this mortall lyff; and how graciouſlie it hes pleſit him alreddy to reſpect hir Hienes, and this hir realme, in geving unto hir Majeſtie of hir maiſt deare and onlie ſone the Prince, baith hir Hienes ſelf and hir haill ſubjectis ar detbund to rander unto GOD immortal prayſe and thankes. And now hir Majeſtie being deſtitute of an husband, levand ſolitary in the ſtate of wedoheid, and zit zoung and of fluriſhing aige, apt and able to procreate and bring forth ma children, hes bene preiſſit and humbly requirit to zeild unto ſum mariage. Quhilk petitioun hir Grace weying, and taking in gude part, bot cheiflie regarding the preſervatioun

* From the Original in the Royal Archives.

and continewance of hir poſteritie hes condeſcendit thairto. And mature deliberationn being had towert the perſonaige of him with quhome hir Hienes ſuld joyne in mariage, the maiſt part of hir Nobilitie, be way of adviſe, hes humbly prayit hir Majeſtie, and thocht bettir that ſhe ſuld ſa far humble hirſelf, as to accept ane of hir awin borne ſubjectis on that ſtate and place, that wer accuſtomat with the maneris, lawis and conſuetude of this countré, rather nor ony foreyne Prince: And hir Majeſtie preferrand thair advyſe and prayers, with the weilfair of hir realme, to the avancement and promotioun quhilk hir Hienes in particular mycht have be foreyne mariage, hes in that poynt likewiſe inclynit to the ſute of hir ſaid Nobilitie. And thay namand the ſaid noble Prince, now Duke of *Orknay*, for the ſpecial perſonaige, hir Majeſtie well avyſit, hes allowit thair motioun and nominatioun, and graciouſlie accordit thairunto, having recent memorie of the notable and worthie actis, and gude ſervice done and performit be him to hir Majeſtie, alſwell ſen hir returning and arrivall in this realme, as of befoir in hir Hienes's minoritie, and during the time of governament of umquhile hir deareſt moder of gude memorie, in the furthſetting of hir Majeſtie's auctoritie aganis all impugnaris and ganeſtanderis thairof: Quhais magnanimitie, courage, and conſtant trewth towert hir Majeſtie, in preſervatioun of hir awin perſonn from mony evident and greit dangeris, and in conducting of heich and profitable purpoſes, tending to hir Hienes's avancement, and eſtabliſſing of this countrie to hir perfite and univerſal obedience, hes ſa far movit hir, and procurit hir favour and affectioun, that abuif the commoun and accuſtomat gude grace and benevolence quhilk Princes uſis to beſtow on noble men, thair ſubjectis weill deſerving, hir majeſtie wil be content to reſſave and tak to hir husband the ſaid noble Prince, for ſatisfactioun of the hartis of hir Nobilitie and people. And to the effect that hir Majeſtie may be the-mair able to governe and rewill hir realme in time to cum during hir lyfetime, and that yſſue and ſucceſſioun, at Godis pleſſour, may be producit of hir maiſt noble perſoun, quhilkis, being ſa deir and tender to

hir

hir ſaid deareſt ſone, eftir hir Majeſtie's deceis, may beſoir all utheris ſerve, ayd and comfort him. Quhairfore the ſaid excellent and michtie Princeſſe and Quene, and the ſaid noble and potent Prince *James* Duke of *Orknay* ſall, God willing, ſolemnizat and compleit the band of matrimony, ather of thame with uther, in face of haly kirk with all guidlie diligence. And als hir Majeſtie, in reſpect of the ſame matrimony, and of the ſucceſſioun, at Goddis pleſour to be procreat betwix thame, and producit of hir body, ſall in hir nixt parliament grant a ratificatioun, with avife of hir thrie eſtatis, (quhilk hir Majeſtie ſall obtene) of the Infeftment maid be hir to the ſaid noble Prince, than Erle *Boithvile*, and his airis maill to be gottin of his body, quhilkis failzeing, to hir Hienes and hir crown to return, of all and haill the erldome, landis, and ilis of *Orknay* and Lordſhip of *Zetland*, with the holmis, skerreis, quylandis, outbrekkis, caſtellis, touris, fortalices, manor-places, milnis, multuris, woddis, cunyngharis, fiſheingis, alfweill in freſhe watteris as ſalt, havynnis, portis, raidis, outſeittis, partis, pendiclis, tenentis, tenendries, ſervice of fré tenentis, advocatioun, donatioun, and richt of patronage of kirkis, benefices and chapellanries of the ſamyn, liand within the ſheriffdom of *Orknay* and fowdry of *Zetland, reſpectivè*, with the toll and cuſtumis within the ſaidis boundis, togidder with the offices of ſheriffſhip of *Orknay* and fowdry of *Zetland*, and office of Juſticiarie within all the boundis als weill of *Orknay*, as *Zetland*; with all the privilegis, feis, liberteis and dewteis perteining and belanging thairto, and all thair pertinentis, erectit in ane haill and fré Dukry, to be callit the Dukry of *Orknay* for evir: And, gif neid be, ſall mak him new infeftment thairupon in competent and dew forme: Quhilk hir Majeſtie promittis *in verbo principis*. And in eais, as God forbid, thair beis na airis maill procreat betwix hir Majeſtie and the ſaid Prince, he obliſſis his utheris airis maill, to be gottin of his body, to renounce the halding of blanche ferme contenit in the ſaid infeftment, takand alwayes and reſſavand new infeftment of the ſaidis landis, Erldome, Lordſhip, ilis, toll, cuſtumis, and offices above

writtin, and all thair pertinentis erectit in the Dukry as ſaid is: Quhilk name and titill it ſall alwayes retene notwithſtanding the alteratioun of the halding; his ſaidis airis maill to be gottin of his body payand zerlie thairfoir to our ſaid ſoverane Ladyis ſucceſſoris, or thair comptrollaris in thair name, the ſoum of twa thouſand poundis money of this realme, like as the ſamyn was ſett in the tyme of the Kingis grace hir gracious fader, of maiſt worthy memorie. Mairover, the ſaid noble and potent Prince and Duke obliſſis him, that he ſall nawyſe diſpone nor put away ony of his landis, heritaigis, poſſeſſiounis and offices preſent, nor quhilkis he ſall happin to obtene and conqueſs hereftir during the mariage, fra the airis maill to be gottin betwix him and hir Majeſtie; bot thay to ſucceid to the ſame, als weill as to the ſaid Dukry of *Orknay*. Furthermair, it is concluded and accordit be hir Majeſtie, that all ſignatours, lettres and writtingis to be ſubſcrivit be hir Majeſtie in tyme to cum, efter the completing and ſolemnizatioun of the ſaid mariage, othir of giftis, diſpoſitionis, graces, privilegis, or utheris ſic thingis quhatſumevir, ſal be alſua ſubſcrivit be the ſaid noble Prince and Duke for his intereſſe, in ſigne and takin of his conſent and aſſent thairto, as hir Majeſtie's husband. Likeas it is alſua agreit and accordit be the ſaid noble Prince and Duke, that na ſignatours, lettres or writingis, other of giftis, diſpoſitionis, graces, privilegis, or uthir ſic thingis concerning the affaires of the realme, ſal be ſubſcrivit be him onlie, and without his Majeſteis aviſe and ſubſcriptioun: And gif ony ſic thing happin, the ſamyn to be of nane avale. And for obſerving, keping and fulfilling of the premiſſis, and every point and article thairof, the ſaid noble and mychtie Princeſſe, and the ſaid noble Prince and Duke hes boundin and obliſſit thame faithfullie to uther is; and ar content and conſentis that this preſent contract be actit and regiſtrat in the buikis of counſell and ſeſſioun, *ad perpetuam rei memoriam:* And for acting and regiſtring heirof in the ſaid buikis, hir Majeſtie ordanis hir advocattis, and the ſaid noble Prince and Duke hes maid and conſtitute Maiſter *David Borthwick*, *Alexander Skene his* pro-

procuratoris conjunctlie and severalie, promittand *de rato*. In witness of the quhilk thing hir Majestie and the said noble Prince and Duke hes subscrivit this present contract with thair handis, day, zeir and place foirsaidis, befoir thir witnessis, ane maist reverend fader in God *Johnne* Archiebishop of *Saintandrewis*, Commendatar of *Paisly*, &c. *George* Erll of *Huntlie*, Lord *Gordoun* and *Badzenach*, Chancellar of *Scotland*, &c. *David* Erll of *Crawfurd*, Lord *Lindsay*, &c. *George* Erll of *Rothes*, Lord *Leslie*, *Alexander* Bishop of *Galloway*, Commendatar of *Inchaffray*, *Johnne* Bishop of *Rosi*, *Johnne* Lord *Fleming*, *Johnne* Lord *Hereis*, *William Maitland* of *Lethington* younger, Secretar to our Soverane Lady, Sir *Johnne Bellenden* of *Auchnoule*, Knight, Justice-Clerk, and Mr. *Robert Creychton* of *Eliok*, Advocate to hir Hienes, with utheris divers.

MARIE R.

JAMES Duke of *Orknay*.

On the Back,

xiiii. Maii, 1567.

Comperit personalie the Quenis Majestie, and James *Duke of* Orknay, &c. *and desyrit this contract to be registrat*, &c. *in presens of the Clerk of Register* &c. *of quhais command I haif registrat the samin.*

J. SCOTT.

NUMB. XIII.

Part of a Letter from Sir Nicholas Throckmorton *to the* English *Queen, from* Edinburgh, *25th* July 1567 *.

**** I Do perceive, if these men cannot by fair means induce the Queen to their purpose, they mean to charge her with these three crimes, that is to say:

1. TYRANNY, for breach and violation of their laws and decrees of the realme, as well that which they call *Common Laws*,

* *Cotton* Library, *Caligula*, C. 1. Original.

Laws, as their Statute Laws; and namely, the breach of thoſe ſtatutes which were enacted in her abſence, and confirmed by *Monſr. de Randam* and *Monſr. D'Oiſel*, in the *French* King her husband's name and hers.

2. They mean to charge her with INCONTINENCY, as well with the Earl *Bothwell*, as with others; having (as they ſay) ſufficient proof againſt her for this crime.

3. They mean to charge her with the MURDER of her HUSBAND, whereof (they ſay) they have as apparent proof againſt her as may be, as well by the teſtimony of her own hand-writing, which they have recovered, as alſo by ſufficient witneſſes. **

NUMB. XIV.

ACT of SECRET COUNSEL.

Apud Edinburgh, quarto die menſis Decembris, Anno Dom. 1567.

THe whiche daie my Lorde Regentis Grace, the Lordes of Secrete Counſale and uthers, Baronis, and men of jugement above written, being convenit in counſale, it was proponit unto them that the parliament now approchis, wheirin the cauſe of the apprehenſion and reteninge of the Quene our Soverane Lord's moder, mon be debaitit, reſſonit and tryit, and it found and declarit, quhither the Noblemen and others quhilkis tuke armes before the ſaied apprehenſion, and whiche joyned with them and aſſiſtit them at that time or ony wiſe ſenſyne, has donne the dewtie of Noblemen, gud ſubjectis, and nawiſe offendit nor tranſgreſſit the lawes in that fact, or anie thing depending thairon, outher preceding or followinge the ſame, or not: and in caiſe it be found that they have not offendit, but done their dewtie, how and be what meane a full and perfect law and ſecuritie maie be obtanit and maid for all them, that other be deid, counſale, or ſubſcription hes enterit in that cauſe ſen the beginninge. The matter being largelie and with gud deliberacion reſſonit at great length, and upon ſundry daies,

at

at laſt all the ſaied Lords, Baronis, and others above expremit, can find no other way or moyen how to find or make the ſaied ſecuritie, but be oppynynage and reveling of the trewth and grund of the haill matter fra the beginninge plainlie and uprichtlie, quhilk (in ſa far as the manifeſtation theirof maie tend to the diſhonor or diſeſtimation of the Quene) they air maiſt loith to entre in, for that luif they beare unto hir perſon, wha ſomtime was theire Soverane, and for the reverrence of his Majeſtie, whais moder ſhe is, as alſua thay mony gude and excellent gifts and virtues quharewith God ſometimes indowit hir, gif otherwiſe the ſinceritie of their intentions and procedings from the beginninge mycht be known to forrein nacions, and the inhabitantes of this ile (of whome mony yit remains in ſuſpence in jugement) ſatisfiet and reſolvit of the richtueſneſs of theire quarrel, and the ſecuritie of them, and theire poſteritie be ony other meane myght be providit and eſtabliſhed. But ſen God will ſuffer no wickitnes to be hid, and that all actions otherwiſe foundat nor on the ſimple and nakit trewth, what apperance that evir they have, has na continewance nor ſtabilitie: Theirfore the Lords of Secrete Counſale, Baronis and men of jugement above expremit, deſires it to be found and declarit be the Eſtates and haill body of the Parliament, that the cauſe and occaſion of the previe conventionis and meſſages of the Erles, Lords, Noblemen and Baronis, and others faithful and trew ſubjects, and conſequentlie theire taking of armes and cominge to the fields with oppin and diſplait baneris, and the cauſe and occaſion of the taking of the Quene's perſon upon the 15th daie of *Junii* laſt bypaſt, and holding and deteininge of the ſame within the hous and place of *Lochlevin* continewallie ſenſyne, preſentlie, and in all tymes comyng; and generallie all other things inventit, ſpokin, writtin, or donne be them, or aney of them, ſen the tent daie of *February* laſt bypaſt (upon quhilk daie umquhile King *Henrie*, the Quene's lawfull husband, and our Soveraine Lord the King's deareſt father was ſhamefully and horriblie murtherit) unto the daie and date heirof, toweching the ſaied Quene hir perſon, that caus, and all things depending

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ing theiron, or that anie wife maie apperteine theirto, the intromiſſioun with the diſponinge upon hir propertie, caſualties, or other thing whatſoever perteining, or myght pertene to hir, was in the ſaied Quene's awin default, in as far as be divers hir previe lettres writtin and ſubſcrivit with her awen hand, and ſent by hir to *James* Erll *Boithwell*, cheiffe executor of the ſaid horrible murdor, aſwell before the committing theirof, as therafter, and be hir ungodlie and diſhonorable proceding in a priveit mariage with him ſoddanlie and unproviſitlie yarefter, it is moſt certeine that ſhe was previe, art and part, and of the actual deviſe and deid of the foirmencionit murther of the Kinge, hir lawchfull husband, our Sovereine Borde's father, committit be the ſaid *James* Erll *Boithuill*, his complices and partakers; and theirfore juſtlie deſervis whatſoever hes bin attemtit or ſhall be uſit toward hir for the ſaid caus: Which murther although be mony indirect and colorat meanes ſhe and the ſaied Erll zaid about to collour and to hold bak the knowlege of the trewith theirof; yit all men in their harts wer fully perſwaided of the authors and deviſers of that miſchevous and unworthie fact, awaiting quhill God ſuld move the harts of ſom to enter in the quarrell of revenging of the ſame. And in the meanetime a great part of the Nobilitie, upon juſt feire to be handillit and demanit in ſeamblable manner, as the King had bene of befoire, perſaivinge the Quene ſo thrall and bludy affeccionat to the privat appetite of that tyran, and that ſhe and he had conſpired togidder ſic horrible cruelties, being theirwith garnyſit with a companie of ungodlie and vicious perſons redy to accompliſhe all theire unlawchfull commaundments, of whome he had a ſufficient nomber continewallie awaiting upon him for the ſame effect: All noble and vertuous men abhoring theire traine and companie, but chiefly ſuſpecting, that they, who had ſa treſſonablie put doune and diſtroit the father, ſuld make the innocent Prince, his only ſonne, and the principall and almoſt onlie compfort ſent be God to this afflictit nacion, to taſt of the ſame coupe, as the mony inventit purpoſes to pas where he wes, and where the Noblemen in that opin confuſion prevelie repoſit themſelfs,

ſelfs, gave ſufficient warning and declaraccion. Quheirfore the ſeid Erlls, Lordes, Barronis and utheris, faiethfull and trewe ſubjects, taking armes, or otherwiſe whatſumever joyning and aſſiſting in the ſaid action, in the ſaid convencionis, taking armes, diſplaying of banners, coming to the feilds, taking and reteining of the Quene's perſon, aſwell in times bypaſt, as heirefter, and all other things movid or done be them, or anie of them, touching that caus, and all things depending theiron, or that oniewiſe maie apperteine theirto, the intromiſſion with or diſponinge upon hir propertie, caſualties, or other thingis whatſomever perteining or myght perteine to hir, wes alluterlie in default of hir ſelfe and the ſaied Erll *Boithuill*, and be the horrible murther and crueltie of our Soverein Lord's father, conſpirit, deviſit, committit and concelit be them, colorit and not condignlie puniſt be them, and theire perfitt counſale. And that the ſaied Erlls, Lordes, Barronis, and others faithfull and trewe ſubjects convenit at ony convencions efter the ſaied murther, for farthering of the triall theirof, and alſ they and all others that weire on the ſilds, tuke armes, tuke, held, kepit, and detenit, preſentlie holds, keipis, and detens hir perſon, or ſall heiraſter, or that hes joynit and aſſiſtit them in that quarrell ſenſyne, and towching the haill premiſſes, ar, wer, and ſall be innocent, fré, and quit of the ſame, and of all action and cauſe, criminall or civile, that maie be intentit or perſewit againe them or anie of them theirfore, in time cominge. And that a parte of the Thré Eſtats forſaieds, Prellats, Biſhoppes, greit Barrons and burgeſſes gif thair ſelis heirupon, to be uſit, as ſall be thought maiſt expedient be them, for the honor of the realme and ſecuritie of the Noblemen, and otheris having entris in the caus.

JAMES, *Regent*.
MORTON, *Chancellar*.
GLENCARNE.
ERROLL.
BOWCHANE.
ALEX. *Lord* HOME.
RUTHVEN.
Lord SEMPILL.
JOHN *Lord* GLAMISS.
PATRICK *Lord* LINDESAY.

PAT. *Lord* GRAY.
JOHN *Lord* GRAHAME.
UCHILTRIE.
INNERMEITH.
ADAM ORCHADEN.
ROBERT, *Commendatar of* Dumferling.
ALEXANDER, *Commendatar of* Culroſs.
Sir JAM. BALFOUR.
JA. MAKGILL.
HEN. BALNAVES.
W. MAITLAND.
DRUMLANERK.
CONINGHAMEHEID.
JOHN ERSKYN *of* Dun.
WM. KIRKALDY.
JO. WISHART *of* Petarro.
JAMES HALYBURTON.
CRAIGMILLAR.

NUMB. XV.

Act of Murray's *Parliament, anent the retentioun of our Soverane Lordis motheris perſon.*

ITEM, Anent the artickle proponit be the Erlis, Lordis, and uther Nobill-men, quha tuik armis at *Carbarrie* hill, upon the xv. day of *Junii* laſt bypaſt: And anent thair conveningis of befoir, and of the cauſe of the apprehenſioun of the Quene mother to our Souverane Lord. And quhidder the ſaidis Nobill-men, and utheris quhilkis tuik armis of befoir hir ſaid apprehenſioun, and quhilkis joynit with thame, and aſſiſtit thame at that tyme, or ony wayis ſenſyne, hes done the dewtie of Nobillmen, gude and trew ſubjectis of this realme, and na wayis offendit, nor tranſgreſſit the lawis in that effect, or ony thing depending thairupon, outher preceding or following the ſamin. OUR SOVERANE LORD, with aviſe of my Lord Regent, and thré Eſtatis, and haill body of this preſent parliament, hes fundin, declairit, and concludit, and be this preſent act findis, declairis, and concludis, that the cauſe and occaſioun of the conventiounis and meſſageis of the ſaidis Erlis, Lordis, Nobill-men, Baronis, and utheris faithfull and trew ſubjectis, and conſequentlie, thair taking of armis, and cuming to the feildis with oppin and diſplayit banneris, and the cauſe and occa-

occaſioun of the taking of the ſaid Quenis perſon, upon the ſaid xv. day of *Junii* laſt bypaſt, and halding and detening of the ſamin within the houſis and fortalice of *Lochlevin*, continuallie ſenſyne, preſentlie, and in all tyme cuming: And generallie all uther thingis inventit, ſpokin, writtin, or done be thame, or ony of thame to that effect, ſen the tent day of *Februar* laſt bypaſt, upon the quhilk day umquhile *Henry* King, than the ſaid Quenis lauchfull husband, and our Souverane Lord the Kingis derreſt father, was treſſonablie, ſchamefullie, and horriblie murthourit, unto the day and dait of this preſent act, and in all tymes to cum, tuiching the ſaid Quene, and detening of hir perſon: That the cauſe, and all thingis dependand thairon, or that ony wayis may pertene thairto, the intromiſſioun, or diſponing upon hir propertie, caſualiteis, or quhatſumever thing pertening, or that ony ways mycht pertene to hir, wes in the ſaid Quenis awin default, in ſa far as, be divers hir previe letteris writtin halelie with hir awin hand, and ſend be hir to *James* ſumtyme Erle of *Bothwell*, cheif executour of the ſaid horribill murthour, as weill befoir the committing thairof as thairefter: And be hir ungodlie and diſhonourabill proceding to ane pretendit mariage with him, ſuddandlie and unproviſidlie thairefter, it is maiſt certane, that ſcho was previe, airt and pairt, of the actual deviſe and deid of the ſoirnamit murthour of the King hir lauchfull husband, and father to our Soverane Lord, committit be the ſaid *James* ſumtyme Erle of *Bothwell*, his complices and partakeris; And thairfoir juſtlie deſervis quhatſumever hes bene done to hir in ony tyme bygaine, or that ſal be uſit towardis hir, for the ſaid cauſe in tyme cuming, quhilk ſal be uſit be adviſe of the Nobilitie, in reſpect that our ſaid Soverane Lordis mother, with the ſaid *James*, ſumtyme Erle of *Bothwell*, zeid about be indirect and colourit menis, to colour and hald back the knawledge of the treuth of the committaris of the ſaid cryme. Zit all men in thair hartis war fullelie perſwadit of the authouris and devyſaris of that miſchevous and unworthie fact, awaiting quhill God ſould move the hartis of ſum to enter in the querrell for revengeing of the

ſamin. And in the mene tyme, ane greit pairt of the Nobilitie, upon juſt feir to be handlit, and demanit in ſemblabill maner, as the King had bene of befoir; perſaving alſwa the Quene ſa thrall, and ſwa blindlie affectionat to the private appetyte of that tyrane, and that baith he and ſche had conſpyirit togidder ſic horrible crueltie, being thairwith all garniſſit with an cumpanie of ungodlie and vitious perſonis, reddy to accompliſche all their unlauchfull commandementis, of quhome he had ane ſufficient number, continuallie awaiting upon him, for the ſamin effect, all nobill and vertuous men abhorring thair tyrannie and cumpanie, bot cheiflie ſuſpecting, that thay, quha had ſa treſſonablie put downe, and deſtroyit the father, ſould mak the innocent Prince, his onlie ſone, and the principall, and almaiſt onlie confort, ſend be God to this afflictit natioun, to taiſt of the ſamin coup, as the mony inventit purpoſis to pas quhair he was, and alſwa quhair the Nobillmen war in, be thair oppin confuſioun gaif ſufficient warning and declaratioun: Quhairthrow the ſaidis Erlis, Lordis, Barronis, and utheris faithfull and trew ſubjectis taking armis, or utherwyſe quhatſumever joyning, and aſſiſting in the ſaid actioun, and in the ſaidis conventiounis, diſplaying baneris, and cuming to the feildis, taking and retening of the Quenis perſon, aſweill in tymes bypaſt, as heirefter, and all utheris that hes thairefter, or ſall in ony time cuming adjoyne to thame, and all things done be thame, or ony of thame, tuicheing that cauſe, and all uther thingis depending thairon, or that ony wayis may appertene thairto, the intromiſſioun, or diſponing upon hir propirtie, or caſualiteis, or quhatſumever uther thingis pertening, or ony wayis mycht appertene to hir, was in default of hirſelf, and the ſaid *James* ſumtyme Erle of *Bothwell*, and be the horribill and cruell murther of our ſaid Soverane Lordis umquhile dereſt father, conſpyrit, devyſit, committit, conſeilit and colourit be thame, and not condignelie puneiſt according to the laws. And that the ſaidis Erlis, Lordis, Barronis, and utheris trew and faithfull ſubjectis, convening at ony conventioun bygaine, and now preſentlie efter the ſaid murthour, for furthering of

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the tryell thairof; and als thay, and all utheris that war on the feildis, tuik armis, apprehendit, held, keipit or detenit, or preſentlie haldis, keipis or detenis hir perſon, or ſall thairefter, or that has joynit or aſſiſtit, or ſall in ony tyme heirefter joyne to thame in that querrell, tuicheing the premiſſis, ar, war, and ſall be innocent, fré, and acquyte of the ſamin, and of all actioun, and cauſe criminall and civill, that may be intentit or perſewit aganis thame, or ony of thame thairfoir, in ony tyme cuming. And that ane pairt of the Thré Eſtatis foirſaidis, Prelatis, Biſchopis, greit Barronis, and burgeſſis, gaif thair ſeillis thairupon, to be uſit as ſall be thocht maiſt expedient be thame, for the honour of the realme, and ſecurity of the Nobill-men, and utheris havand enteres in the ſaid cauſe. And decernis this declaratioun to be na wayis prejudiciall to the iſſue of our Soverane Lordis mother, lauchfullie cumin of hir body, to ſucceid to the crowne of this realme, nor thair airis.

NUMB. XVI. *Cal. c.* 1.

Letter from the Lord Scrope *and Sir* Francis Knollys *to the Queen of* England, *from* Carlile, *the 29th* May 1568.

An original. *Cal. C.* 1.

WE arryved here at *Karlell* yeſterdaye at 6 of the klocke afternoone, and by the waye my Lord *Harrys* mett us ſix mylles from this towne, and after he had diſcourſed of the lamentable eſtate of the Quene of *Scotts* hys myſtres, inveying motche agaynſt the treaſonable crueltie of hir enemyes, and alſo ſaying as motche as he cowlde for the innocencye of hys myſtres towching the murder of hir husband, the which, he ſayd, wold be eaſelye proved, if the Quene hys myſtres myght be heard to ſpeyk for her ſelfe in your Hyghnes preſence; and affyrming, that he truſted your Hyghnes wolde eyther gyve hir ayde, to the chaſtenyng of hir ſubjects, for her releeffe and comforte, or els that your Hygh-

Hyghnes wold gyve her leave to paſs throw your countrye into *France*, to ſeke releeffe otherwais. Whereunto we anſwered, That your Hyghnes could in no wyſe lyke her ſekying ayde in *France*, therby to bring *French* men into *Scotland*. And we dowted whether your Hyghnes could thynke it mete to receave hyr ſo honorablye into your preſence, as your deſyrous affectyon and good wyll towards her dyd wyſhe, untyll your Hyghnes myght be well inſtructed and ſatisfied by probable reaſons, that ſhe was cleare and innocent of the ſayd morder, by ſome ſotche wyſe man as he, that myght ſet forthe the ſame manyfeſtlye: Whereupon, and throghe other conferrences private with me the L. *Scrope*, he ſemed to determyne to ryde towardes your Hyghnes, for that intent, within a day or twayne, which was the thyng that we ſpecyally ſought for. And after thys, repayryng into the caſtle, we found the Quene of *Scotts* in hyr chamber of preſence, readye to receave us, where, after ſalutations made, and our declaration alſo of your Hyghneſs ſorowfullnes for hyr lamentable miſſadventure, and inconvenyents arrived, althoghe your Hyghnes was glad and joyfull of hyr good eſcape from the perryll of hyr parſone, with many circumſtances thereunto belonging. And we fownd hyr in hyr anſwers to have an eloquent tonge, and a diſcreet Head; and it ſeemethe by hyr doyings, that ſhe hath ſtowte courage, and liberalle harte adjoyned thereunto. And after owre delyvery of your Hyghneſs letters, ſhe fell into ſome paſſion, with the water in hyr eyes, and therewith ſhe drewe us with hyr into hyr bedd chamber, where ſhe complayned unto us, for that your Hyghnes dyd not anſwer hyr expectations, for the admittyng hyr into your preſence furthwith; that upon good declaration of hyr innocencye, your Hyghnes wold eyther without delaye gyve hyr ayde yourſelfe, to the ſubdueing of hyr enemies, or els, beying now come of good wyll, and not of neceſſitie, into your Hyghnes handes (for a good and greateſt part of hyr ſubjects, ſayd ſhe, doe remayne faſte unto hyr ſtyll) your Hyghnes wold, at the leaſt, forthewith gyve hyr paſſage throghe your countrye into *France*, to ſeike ayde at other Prynces handes, not dowting but both the *French*

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Kyng and the Kyng of *Spayne* wold gyve hyr releeffe in that behalfe to hyr ſatisfaction. And here ſhe fell into diſcourſes, that the cawſe of the warre, and diſobedient treaſon of the cheeffe of theſe hyr ſubjects was, thereby to kepe that which ſhe had to lyberally gyven to them, by violence, ſince throe hyr revocation thereof within full age, they cowld not injoye the ſame by lawe. And withall ſhe affyrmed, that both *Lyddyngton* and the Lord *Morton* were aſſentyng to the murder of her husband, as it cowld well be proved, althoe nowe they wold ſeme to perſequute the ſame. Unto the fyrſt parte whereof we anſwered, that your Hyghnes was inwardly ſorye, and very moche greved that you cowld not doe hyr that greate honor to admitt hyr ſolempnly and worthely into your preſence, by reaſon off thys great ſclander of murder, whereof ſhe was not yet purged. But we ſayde, we were ſure, that your Hyghnes affection towards hyr was great, that whether hyr Grace could purge hyrſelfe or note in that behalfe, yet yf ſhe wold depend upon your Hyghnes favor, without ſekyng to bryng in ſtrangers into *Scotland*, (the imminent danger whereof your Hyghnes could not ſuffer) then undoutedly youre Hyghnes wold uſe all the convenient means you cowld for hyr releeffe and comforte. And withall we ſayd, that yf it wold pleaſe hyr Grace to direct us thereunto, we wold advertiſe your Hyghnes of thoſe hyr declarations, with all ſpede, upon anſwer whereof we ſhould be hable to declare further of your Hyghnes intent and meaning. Wherewith hyr Grace complained motche of delays to hyr prejudice, and wynying of tyme to hyr enemies, ſo that diſcontentedly ſhe contented hyr ſelf therewith. Whereupon we tooke oure leave, ſaying, we wold diſpatche away with all poſſible ſpede. Alſo, the Quene of *Scottes* doth preſently ſend up the Lord *Herrys* with hyr letters for ſpedie reſolution. And nowe it behoveth your Hyghnes in myne opynyon, gravely to conſyder what anſwer is to be made herein, ſpecially becauſe that many Gentlemen of dyvers ſhyres heare neare adjoynyng, within your realme, have herd hyr dayly defences and excuſes of hyr innocency, with hyr great accuſations of hyr enemies, very eloquently told before

before our comyng hither. And therefore, I the Vice-chamberlayn do refer to your Hyghnes better conſideration, whether it were not honorable for yow, in the ſyght of your ſubjects, and of all forrayne Prynces, to put hyr Grace to the choyſe, whether ſhe will depart frely backe into hyr countrye without your Hyghnes Impeachment, or whether ſhe will remayne at your Hyghnes devotion within your realme here, with hyr neceſſary ſervants only to attend upon hyr, to ſee howe honorably your Hyghnes can doe for hyr: For by this means your Hyghnes, I thynk, ſhall ſtopp the mowths of backbyters, that otherwayes wold blowe out ſeditious rumors as well in your own realme as elſewhere, of detayning of hyr ungratefully. And yet I thynk it is lykely, that yf ſhe had ſo hyr owne choyſe, ſhe wold not goe back into hyr owne realme preſently, nor untill ſhe myght looke for ſuccors of men out of *France* to joyne with hyr there, or yf ſhe wold goe preſently into hyr owne countrye, the worſt were, peradventure, with danger ynoughe, ſhe myght get into *France*; and that wold hardly be done, yf my Lord of *Murraye* have a former ynklyn of hyr departure thether: And on the other ſyde, ſhe cannot be kept ſo rygorouſly as a priſoner with your Hyghnes honor, (in myne opynyon) but with devyces of towels or toyes at hyr chamber wyndow or elſewhere, in the night a body of hyr agylytye and ſpyryte may eſcape ſoone, beyng ſo neare the border. And ſurely, to have hyr caryed furder into the realme, is the hygh waye to a dangerous ſedition, as I ſuppoſe. Thus, ceaſſying to troble your Majeſtie, we wyſhe the ſame proſperous felicytye, with long continuance of health, to the pleaſure of God, and good contentation of all your good ſubjects.

Your Majeſties moſt humble and obedient ſervants,

H. Scrope.
F. Knollys.

NUMB.

NUMB. XVII.

Letter from Queen Elizabeth *to the Earl of* Murray, June 8. 1568.

A Copy atteſted by Secretary *Cecil.*

BY THE QUENE.

RIGHT truſty and right welle beloved couſin, we greete you welle. For as much as the Quene of *Scotts* our good ſiſter is lately come into our realme, as we are welle aſſured you knowe, with the cauſes of her arrivall in the partes where ſhe now is, and that ſhe hath ſent to us the Lord *Herrys* with Credit to report unto us her Eſtate, and to deſcover her whole late trowbles and great injuries done to her by her ſubjects, begynning at theire notorious ungratefulneſs upon her pardoning of their former great offences, and receiving them into her favour at our requeſt, and conſequently by rayſing firſt force againſt her, and notwithſtanding the yeilding of herſelf into their hands for avoiding of blodde, and being deſirous to reforme any thing that was amiſs; yet ſhe was taken and committed to priſon, where ſhe was moſt hardly kept, and could be never heard to anſwer for herſelf, but was for fear of her life, compelled to make a dimiſſion of her crown, and in parliament proceeded againſt her, without hereing of herſelf or any advocate, and ſo deprived her of her royal eſtate. And now finally, ſhe being eſcaped and accompanyed with her Nobilitie, was by force and arms purſued by you and ſome other particular perſons in battle, and ſo ſhe was compelled to flye into this our realme.

All which things cannot but ſound very ſtrange in the ears of us, being a Prince Sovereign, having dominions and ſubjects committed to our power, as ſhe had. For remedy whereof ſhe requireth our ayde, as her next couſine and neighbour: And for juſtification of her whole cauſe, is con-

tent to commit the hearing and ordering of the ſame ſimply to us. We have thought good and neceſſary, not only to impart thus much unto you, wherewith ſhe chargeth you, and others joined with you, conſidering the government of that realme is in your power at this preſent, and that by your ſervant Mr. *John Woodd*, we have underſtood your offer, to make declaration unto us of your whole doings; but alſo to require and adviſe you, utterly to forbeare from all manner of hoſtility and perſecution againſt all ſuch as have lately taken Part with the ſaid Queen, and to ſuſpend all manner of actions and proceedings againſt them, both by law and arms, as the like is ment by us to be obſerved on the Queen's part, and others adjoined to her; and to impart unto us plainly and ſufficiently, all that which ſhall be mete to inform us of the truth for your defences in ſuch weighty crimes and cauſes, as the ſaid Quene hath allready, or ſhall hereafter object againſt you, contrary to the duety of naturall borne ſubjects: So as we being duely informed on all parts, may, by the aſſiſtance of God's grace, direct our actions and orders principally to his glory, and next to the conſervation of our owne honour in the ſight of all other Princes; and finally, to the maintainance and increaſe of peace and concord betwixt both theſe two realmes. And as you ſhall meane to have us favourable to all your juſt cauſes, ſo we earneſtly require you to obſerve the requeſt of theſe our lettres.

Theſe words follow in Secretary Cecil's *hand.*

The trew copy of the Quene's Majeſtie's lettre to the Earle of *Murray*, by me

W. Cecill.

NUMB.

NUMB. XVIII.

Part of a note of what the Earl of Murray *and his counſallors delivered to Mr.* Middlemore, *to be reported to the* Engliſh *Queen, in anſwer to the preceeding,* 22*d* Junii 1568 *.

**** AND for our offer, to mak her Majeſtie declaratioun of our haill doingis, anent that quhairwith the Quene, our Soverane Lordis mother, chargis us, and utheris, joinit with us; we have alreddy ſent unto our ſervand Mr. *Jhone Wode*, that quhilk we traiſt ſall ſufficientlie reſolve hir Majeſtie of ony thing ſcho ſtandis doubtful unto: And zit gif hir Hienes will that we ſend other for mair ſpecial informatioun of the cais, we ſall glaidlie follow hir pleſoure, with als grite haiſt as poſſible we can.

Bot becauſe we perſave the trial, quhilk the Quenis Majeſtie is myndit to have taken, is to be uſit with grit ceremonye and ſolemniteis, we wald be maiſt laith to enter in accuſatioun of the Quene, moder of the King our Soverane, and ſyne to enter in qualificatioun with hir; for all men may judge how dangerous and prejudicial that ſuld be. Alwayis, in cais the Quenis Majeſtie will have the accuſatioun directlie to proceid, it wer maiſt reſſonabill we underſtude quhat we ſuld luke to follow thairupon, in cais we preive all that we allege; utherwayis we ſal be als incertane efter the caus concludit, as we ar preſentlie. And thairfoir, we pray zow requyre hir Hienes, in this point to reſolve us; at leiſt that my Lordis of the counſal will aſſure us quhat we ſall lippin unto.

Farther, it may be, that ſic letteris as we haif of the Quene, our Soverane Lordis moder, that ſufficientlie, in our opinioun, previs hir conſenting to the murthure of the King hir lauchful husband, ſal be callit in doubt be the juges to be conſtitute for examinatioun and trial of the caus, quhe-

* From the paper-office, *London*.

ther thay may ſtand, or fall; pruif, or not. Thairfoir ſen our ſervand Mr. *Jhone Wode* hes the copies of the ſamin letteris tranſlatit in our language, we wald erneſtlie deſyre, that the ſaidis copies may be conſiderit be the juges that ſall haif the examinatioun and commiſſioun of the matter, that thay may reſolve us this far, in cais the principal agrie with the copie, that then we pruif the caus indeed: For quhen we haif manifeſtit and ſchawin all, and zit ſall haif na aſſurance, that it we ſend ſall ſatisfie for probatioun, for quhat purpois ſall we ather accuſe, or tak care how to pruif, quhen we ar not aſſurit quhat to pruif, or, quhen we have preivit, quhat ſall ſucceid?

NUMB. XIX.

The examination and declaration of *French Paris.*

A Sanctandre, *le* 10 *jour d'*Aouſt 1569. Nicholas Howbert, *dict* Paris, *a eſté interrogué ſur les articles et demands qui s'enſuivent, &c. & premierement:*

INTERROGUE quant premierment il entra en credit avec la Royne? Reſp. Que ce fuſt comme la Royne fuſt à Kalendar allant à Glaſgow, qu'allors elle luy baylla une bourſe là, ou il avoit envyron ou 3 ou 400 eſcus, pour la porter à Monſieur de Boduel: lequel aprez avoir receu la dicte bourſe ſur le chemin entre Kalendar & Glaſgow luy dict, que le dict Paris s'en allaſt avec la Royne, & qu'il ſe tint pres d'elle, & qu'il regardaſt bien à ce qu'elle feroit luy, diſant, que la Royne luy donnerois des lettres pour les luy porter. La Royne eſtant arrivée à Glaſgow luy dict, je t'envoyera à * Liſlebourg, tient toy preſt, & ayant demeuré là deux jours avec lad. Dame, laquelle eſcript des lettres, & à luy les bailla, dyſant, Vous dires de bouche à Monſ. de Boduel, qu'il baille ces lettres qui s'addreſſent à Monſ. de Lethington à luy meſme, & qu'il parle á luy, & voyes les parler

* i. e. *Edinburgh.*

ler enſemble, & regardes la faſſon de faire, & quelle miene ilz feront, car c'eſt ce, diſoit elle, pour ſçavoir, lequell eſt meilleur, pour loger le Roy à *Craigmillar*, ou à *Kirk-a-field*, afin d'avoyr bon air ; car s'il logeoyt à l'Abbay, le Prince pourroit bien prendre ſa maladie, à cauſe que ces ſerviteurs ne pourroyent s'en garder d'aller veoyr le Prince : en oultre qu'il dict aud. de Boduel, que le Roy la vouloyt bayſer, mais elle ne pas voullu, de peur de ſa maladye, choſe que Rayres en teſmoignoroit bien ; & plus, ce dict-elle, vous dires à Monſ. de Boduel, que je ne vais jamais vers le Roy, que Rayres n'y eſt, & voyſt tout ce que je fais. *Item*, La Royne luy dict, Paris, haſtez vous de revenir, car je ne bougeray d'ici, juſques au temps que m'aures raporte la reponſe.

Eſtant led. Paris arryvé à Liſlebourg, trouve led. de Boduel en ſon logis à l'Abbay, lequel lui diſt, Ha Paris, tu es le bien venue. Monſieur, dict-il, voici des lettres que la Royne vous envoye, & auſſi à Monſieur de Liddington, vous priant de les luy delivrer, & que je vous vis parler enſemble pour veoir voſtre faſſon de faire, & comment vous accordiez enſemble. Fort bien, dict-il, car j'ay ce jourdhuy parlé à luy, & luy a donné une haquiene. Le lendemain led. Paris dict, qu'il vint au logis dud. Boduel par trois fois le chercher, à 8, 9 & 10 heures, & ne le ſçeut jamais trouver ; mais à la fin, Powrie le portier lui diſt, qu'il allaſt chercher à la haulte ville, que par adventure il le trouveroit en quelque lieu : & l'ayant cherché, il voit venir une troupe de gens de vers le Kirk-de-field, là ou eſtoit led. Sieur Boduel, & Monſ. Jacques Balfour, coſté à coſté enſemble, leſquels s'en alloyent diſner au logis dud. Monſ. Jacques. Led. Paris pria Monſ. de Boduel de le deſpecher vers la Royne. Apres diſner, dit-il, je le feray ; & quant il retourna querir ſa deſpeche apres diſner, il trouva le Sieur de Boduel & led. Mr. Jacques ſeuls teſte à teſte en une chambre, & led. Sieur de Boduel qui eſcrivit de ſa propre main, & apres avoir faict, il dict à Paris, Voyla la reſponſe ; retourne t'en à la Royne, & me recommandes bien humblement à ſa bonne grace, & lui dictez, que tout ira bien, car Monſ. Jacques Balfour & moy

moy n'avons dormis toute la nuit, ains avons mis ordre en toute, & avons apresté le logis. Et dites à la Royne, que je luy envoye ce diamant que tu luy porteras, & que si j'avois mon coeur, je le luy envoyerois tres volontiers, mais je ne l'ay pas moy. Va t'en à Monſ. de Liddington, & lui demandez, s'il veult reſcrire à la Royne : ce que led. Paris faicte, & le trouve à la chambre des comptes, & lui demande, s'il plaiſoit rendre la reſponſe aux lettres de la Royne, que Monſ. de Boduel lui avoit baillées. Oui, dit-il, & la deſſus il prend du papier incontinent, & eſcript, & quant faict, led. Paris lui dict, que la Royne l'avoit commandé de lui demander, lequel de deux logis ſeroit le meilleur pour le Roy, car elle ne bougera de là, juſques à ce qu'il auroyſt rapporté ſa reſponce. Led. Liddington lui reſpondit, que le Kirk-de-fiald ſeroit bon, & led. Sieur de Boduel & lui avoient adviſé enſemble là-deſſus. Ainſi led. Paris partit pour s'en aller à Glaſcow vers la Royne, & eſtant de retour à Liſlebourg, & avoir faict ſon meſſage qui lui eſtoit donné deſd. Seig. de bouche, la Royne lui demande, s'il avoiet veu parler Meſſ. de Boduel & Liddington enſemble, dict que non ; mais que Monſ. de Boduel lui avoit dict, qu'ils avoient parlé de bon viſage enſemble, & que led. Sieur de Liddington eſtoit du tout à lui, & que le logis eſtoit preſt.

Item, Comme elle retournoit de Glaſcow vers Liſlebourg avec le Roy à Kallander, il s'addreſſe un homme de Monſ. Boduel au dict Paris, & lui baille une lettre pour la preſenter à la Royne, ce qu'il fit, laquelle lui demande, ſy l'homme eſtoit ſeur. Je penſe, dit-il, Madame, qu'il n'euſt voulu vous envoyer un homme qui ne fuſt ſeur. Là-deſſus en allant, elle reſcript une lettre, & y miſt dedans un anneau, & la lui bailla, pour la bailler au dict homme porter, choſe qu'il fiſt, pour la rapporter au dict Seigneur de Boduel. Apres la Royne & le Roy eſtans à Lythgow, elle dit au Paris, qu'elle vouluſt mettre Gilbert Curle valet de chambre chez le Roy, pource qu'il eſtoit de bon eſprit, afin de veoir ce qu'il feroit, car elle ne ſe fyoit point à Sandé Durham. Du dict lieu Johan Hay fuſt par elle deſpeché vers Monſ. de Boduel, auquel elle parle aſſez long temps ; en apres auſ-

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ſi Paris avecques des braſſeletz au dict Sieur Boduel. Le dict Paris arrivant à Liſlebourg, lui baille les braſſeletz, lequel Seigneur eſtoit preſt à monter à cheval pour aller a trouver le Roy & la Royne, avecques lequel le dict Paris ſ'en alla au devant le Roy, lequel ils conduirent juſques à ſon logis à Kirk-a-field.

Interrogué, s'il ſçavoit aucune privauté entre la Royné & Boduel durant le temps que le Roy gyſoit à Kirk-à-field. Reſpond, que Monſ. Boduel lui avoit dict, que toutes les nuits Jehan Hepburne ſeroit le griet ſoubs les galleries à Saincte Croix, cependant que Lady Reires iroit bien tard le querir, pour l'amener à la chambre de la Royne, lui defendant, aſſavoir à Paris, ſur la vie, de ne dire que ſa femme eſtoit avecques lui.

Interrogué, ſi ſavoit de l'enterpris du meurtre du Roy, depuis ſon arrivement à Kirk-à-field, juſques au jour de l'execution. Reſpond, que non autrement, que ce qu'il en a deja depoſé en ſa depoſition faicte le 9me de ce mois, en adjouſtant, que le jour que Monſ. de Boduel lui avoit communiqué le fait de meurtre du Roy, qui fuſt le meſme jour que la Royne couchaſt au logis du Roy à Kirk-à-field, (ainſi comme il en ſouvient fort bien) & comme le dict Paris vouloit dreſſer le lict de la Royne en ſa chambre, qui eſtoit droicte ſoubs la chambre du Roy, ainſi que Monſ. de Boduel lui avoit commandé, lors qu'il parle avecques lui au trou la, où il ſe deſcaſchoit pour faire ſes affaires, le dict Sieur de Boduel defendiſt au dict Paris de ne dreſſer le lict de la Royne droict ſoubs le lict du Roy, car je y veulx mettre la pouldre en ceſt endroit là; ce, dict-il, cette nuit là apres que le lict fuſt dreſſé en la chambre de la Royne, ce que je fis au meſme endroit là, où il me fuſt defendu par le dict Sieur de Boduel, la Royne me dict, Sot que tu es, je ne veulx pas que mon lict ſoit en ceſt endroit là, & de faict le feiſt oſter; par leſquelles paroles j'ay apperceu à mon eſprit, qu'elle avoit cognoiſſance du faict; là-deſſus je prins la hardieſſe de lui dire, Madame, Monſ. de Boduel m'a commandé de lui porter les clefs de voſtre chambre, & qu'il a envie d'y faire quelque choſe, c'eſt de faire ſauter le Roy en l'air par pouldre qu'il y

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fera mettre. Ne me parle point de cela ceste heure-cy, ce dict-elle, fais en ce que tu voudra. Là-dessus je ne essaya parler plus avant. A ceste heure-cy je commence à considerer, que j'estois employez en ce faict meschant ; auparavant par paroles couvertes & disguises, estant envoyé de Glascow vers Monf. de Boduel pour sçavoir lequel des logis estoit le meilleur ; & par ce aussi, qu'il m'a respondu alors, quant il me renvoye vers la Royne, vous la dires, si elle vous demande ce que j'ay fais, que je veille toute ceste nuit, & Monf. Jacques Balfour, pour aprester le logis du Roy.

Estant interrogué, si la Royne passoit plus oultre ceste nuit sur ce purpos là, dict que non, mais le pressayt apres plus fort que jamais, de parler à elle du propos de Monf. de Boduel, de sa femme, & des autres choses, & estant couché, ne dormoyt point toute la nuit : ains escrivoit de lettres à Monf. de Boduel, & les envoye par le dict Paris au Sieur de Boduel environ l'onze ou douze heures de nuit, mais rien de creance. Et ayant delivré ceste lettre au dict Sieur de Boduel, il rescrit, estant au lict, & en baillant la responce au dict Paris, il lui dict, Dites à la Royne, que je ne dormiray point que je ne ascheve mon entreprise, quant je deburoys trayner la pique toute ma vie pour l'amour d'elle.

Estant de retour vers la Royne Vendredy au matin, luy ayant raccompté ces mesmes paroles que luy avoyt dictes Monf. de Boduel, hé bien Paris, ce dict-elle, en riant, il n'en viendra jamais si Dieu plaist à ce poynt là ; & ce disoyt-elle estant au lict. Et comme elle s'abilloit, le dict Paris prend le deux clefs de la chambre de la Royne, selon le commandement du dict Monf. de Boduel, & les lui apport, lequel ayant fait sortir tout le monde de sa chambre, prend la clef d'une coffre, qu'il avoit en sa pochette, & apres avoir ouverte le dit coffre, entre des autres clefs contrefaictes toute neufves, & en regardans les unes aupres des aultres, dict à Paris, ha ! ouy elles sont bien, raport celles là, & il remeist les contrefaictes dedans le coffre.

Estant interrogué, s'il sçavoist qui avoit faicte & baillée les clefs contrefaictes au dict Sieur de Boduel. Respond, qu'il n'en sçavoit rien, sinon que le dict Sieur de Boduel, lui dist, qu'il

qu'il avoit toutes les clefs des portes de ce logis là, & que lui & Maiſtre Jacques Balfor avoyent eſté toute une nuit pour chercher & ſçavoir la meilleure entrée, comme il a deja depoſé ; mais cependant, que le dict Paris eſtoyt abſent avecques ſes clefs, Archibald Bethun huiſſier demand les clefs, pour laiſſer ſortir la Royne au jardin, & ne les pouvant trouver la Royne, en fuſt faſché, & dict tout haut à Paris à ſon retour, Paris, pourquoy avez vous emporté les clefs de ma chambre ? Lequel ne lui reſpondit mot ſur l'heure ; mais apres la trouvant à-part, lui diſt, Ha Madame, pourquoy m'avez vous dicte devant le monde, que j'avois pris les clefs de voſtre chambre, voyant que vous ſçavez bien le pourquoy ? Ha, ce dicte-elle, Paris, c'eſt tout un, ne te ſoucie, ne te ſoucie ; & d'autant qu'il en pourroit avoir bon ſouvenance comme il dict, que ce Vendredy, la nuit la Royne coucha encores au logis du Roy, & lui renvoya derechef porter des lettres au Sieur de Boduel.

Interrogué, s'il avoyt rien entendu de ce purpos le Sapmedy au matin ? Reſpond, Que non, ſinon que la Royne diſt en preſence de ceux de ſa chambre, qu'il y avoit eu quelque querelle entre le Roy & Monſ. de Saincte Croix, lequel avoyt bon moyen à ceſte heure-là de tuer le Roy, car il n'y avoit en la chambre alors qu'elle pour les departir. Et dict oultre, qu'apres diſner le dict Sieur de Boduel lui commande de prendre la clef de la chambre de la Royne, choſe qu'il n'avoit envie de faire ; mais comme la Royne ſortoit de ſa chambre, elle le regarde, & lui commande de prendre la dite clef. Et au ſoyr la Royne eſtant à l'Abbay, elle envoye le dict Paris vers Monſieur de Boduel, lui commanda lui dire de bouche, Allez-vous-en à Monſieur de Boduel, & lui dictez, qu'il me ſemble qu'il feroyt le mieulx que Monſieur de St. Croix, avecque Guilliame Blackatre, aillent à la chambre du Roy, faire ceque le dict Sieur de Boduel ſçait ; & qu'il parle à Monſieur de St. Croix touchant ce purpos, car il ſeroit mieux ainſi qu'aultrement ; & pour ce ne ſeroit qu'un peu priſonier dedans le chaſteau. Apres avoir le dict Paris racompté ces faicts à Monſieur de Boduel, il lui dict,

Je parlerois à Monſieur de Saincte Croix, & puis j'y irois parler moy-meſme à la Royne. Le dict Paris n'a ſouvenance d'autre choſe que ce feiſt ce jour là ; mais le reſte eſt contenue en ſa premiere depoſition. Juſque à ce que la Royne arriva en l'Abbay, & Monſieur de Boduel s'eſtant auſſi retiré en ſa chambre avecque le dict Paris, ſurvint Monſieur de Hontely en compagnye de deux ou troys ſerviteurs, & ce par le chemin derriere l'Abbaye, qui mene droyt au logis de feu Monſieur de Ruthven ; & apres qu'ils avoyent parlé en l'oreille enſemble, comme Monſieur de Boduel avoit deja commencé de changer ſes habillements, le dict Boduel deiſt apres au dict Paris, que Monſieur de Hontely s'eſtoit offert d'aller avecques luy, mais qu'il ne le vouloyt mener, quant & luy ; & apres que Monſieur de Hontely ce fuſt partie pour aller coucher, le dict Sieur de Boduel prend le Taylor, & Paris avecques luy, comme il eſt dit en ſa premiere depoſition à ceſte marque *. Le Lundy matin, entre neuf & dix heures, le dict Paris dict, qu'il entra dans la chambre de la Royne, laquelle eſtoyt bien cloſe, & ſon lict tendu de noire, en ſigne de dueil, & de la chandelles allumées dedans la ruelle, ou Madame de Briant luy donnoit à dejeuner une puf là, ou auſſi Monſieur de Boduel arriva, & parla à elle ſecretement ſoubz la courtine. Ce jour-là, Lundy, ſe paſſe ainſi, ſans ce que le dict Paris parle à elle. Mardy au matin elle ſe leve, & le dict Paris eſtant entré en ſa chambre, la Royne lui demanda, Paris, qu'as tu ? Helas, ce dit-il, je vois que chacun me regarde de coſte. Ne te chaille, dit-elle, je te feray bon viſage ; perſonne ne t'oſeroit dire mot ; Cependant elle ne luy dit choſe de conſequence juſques à ce qu'elle alloit à Seton, alors elle lui commandaſt de prendre une caſſette, ou il y avoit - - -

apres elle voyant le dict Paris tout faſché, elle preſſoyt ſouvent de faire ſervice à Monſieur de Boduel, ce qu'il n'avoit envie de faire, ains demandoyt ſouvent ſon congé, & voyant cela, à la fin elle lui dit, Paris, allez vous conſeiller avec Monſieur Jacques Balfor, c'eſt un homme d'eſprit, je me ſuis conſolée par pluſieurs foys, & me conſole de preſent.

Item, Interrogué du premier privauté qu'il a conu entre la Royne & Monſieur Boduel. Reſpond, que c'eſtoit alors que le dict Sieur de Boduel conduiſoit la Royne vers Glaſcow, quant elle alloit querir le Roy à Kalandar, apres ſouper aſſez tard, Lady Reyres vint à la chambre de Monſieur de Boduel, & voyt le dict Paris là, & demande, que faict ce Paris ici? C'eſt tout une, ce dit-il, Paris ne dira choſe que je lui defend dire; & là-deſſus elle l'amene à la chambre de la Royne; ceci c'eſtoit le ſoire devant, que le lendemain la Royne envoya la bourſe par Paris au dict Monſieur de Boduel.

Item, En oultre il dit & declare, qu'environ le temps que le dict Sieur de Boduel fuſt faict Duc, la Royne lui bailla le buffet, & veſſelle d'argent de Monſieur le Prince, là ou eſtoit ſes armoyries, pour la porter à Monſieur de Boduel, lequel lui dict, que c'eſtoit pour en faire oſter la marque de Prince, & y mettre la ſienne, ce qu'il delivra à un qui a eſpouſé une Marguerite Hepbron, (mais il ne ſçait bonnement ſon nom) lequel lui dit, qu'il le devoit bailler à Monſieur Jacques Balfour pour le faire faire.

Item, Il dict & confeſſe, que la nuit auparavant que la Royne fuſt ravye & enlevée du dict Sieur de Boduel, que Monſieur d'Ormeſton vint parler à la Royne bien ſecretement à Lythgow: là-deſſus la Royne reſcript une lettre par le dict Paris, & par ce qu'il ne ſçavoit bien le chemin, la Royne le feiſt conduire par le dict Ormeſtone chez Monſieur de Haltoun là ou le dict Monſieur de Boduel eſtoit en bonne compagnée, & meſmes les Capitaines couchoient aupres de lui & d'aultres; & trouvent le dict Seigneur de Boduel endormy, l'eſveilla, & luy dict, Monſieur, voyla des lettres que la Royne vous envoye. He bien, Paris, ce dit-il, couche

toy là ung peu, cependant je m'en vays eſcrire; & apres avoir eſcript, il dit au dict Paris, recommende moy humblement à la Royne, & luy dictes, que j'iray anjourdhui la trouver ſur le chemin au pont.

Item, Eſtant interrogué, s'il ſçavoit pourquoy Joſeph s'en alla de ce pais? Reſpond, Que la Royne luy dit, Paris, il faut que tu controuverez quelque choſe en ton eſprit pour faire peur à Joſeph, afin qu'il s'en aille; & voyant qu'il ne pouvoit rien faire, elle luy dit, je feray faire une lettre, que tu perderas derriere luy, pour luy faire peur; mais luy ne pouvant ce faire, elle le feiſt dire par le Juſtice-Clerk, comme il peuſt, qu'il euſt à comparoiſtre au parlement, choſe que l'affroyaſt grandement, & il courut çà & là demandant ſon congé; en fin la Royne baille neuf-vingt eſcus à Paris pour les bailler à Joſeph, afin qu'il s'en allaſt, ce qu'il fiſt; & aynſi ayant receu la dicte ſomme, il s'en alla.

Item, Dict, que Jehan Hay ſouvent, apres la mort du Roy, le conſeilloit, & le comfortoit bien, & qu'aultre ne le conſoloit; que ſouvent comme Monſieur de Huntely le veoyt, le voyant deſait, le demandoit, Paris, qu'as tu?

This is the true copy of the declaration of the ſaid *Nicholas Hubert*, alias *Paris*, quhairof the principal is markit every leif with his own hand, and the ſame being red again in his Preſence, he avowit the ſame, and all Parts and Clauſis thereof, to be undoubtedly trew.

Ita eſt, Alexander Hay ſcriba ſecreti conſilii S. D. N. Regis, ac notarius publicus.

NUMB. XX.

Part of the Earl of Murray's *Inſtructions to* Robert *Commendatar of* Dunfermling, *his Ambaſſador ſent to the* Engliſh *Queen*, 15*th* October 1569.

**** AT *York*. The commiſſioneris for the ſaid Quene, our Soverane Lordis mother, ſeikand meanis to hald

hald back the knawledge of the truth indirectly, made a proteſtatioun, as that ſcho was not ſubject to ony judge on earth, having an imperial crown gevin hir of God: Quhilk hir proteſtatioun was nathing agreeing with that quhilk we lookit for by hir Hienes letter of the viii. of *Junii*, reportand of the ſaid Quenis contentatioun, to commit the heiring and ordouring of hir caus ſimplie to the Quenis Majeſtie of *England*. Quhilk impertinent exceptioun was a likelie preſumptioun, that ſcho wald nevir be content that the grund of hir actioun ſould be knawin or deliberat upon.

Notwithſtanding the commiſſioneris on hir part preſentit hir clame or accuſatioun aganis us, quhairunto we maid anſwer: And, at the occaſioun of ſum thingis ſpecifeit in the ſaid accuſatioun, we proponit certane articlis, of the quhilk we requirit reſolutioun of the Quenis Majeſtie of Ingland's commiſſioneris; quha, finding the ſamin mair weighty nor thay, upon thair commiſſioun, might weill reſolve; thay ſent for reſolutioun of the ſamin to the Quenis Majeſtie and hir counſal. Quhairupon firſt, the Laird of *Lethington*, Secretary of our Soverane Lord, and the Clerk-Regiſter, wer callit to cum up to *London*; and, eftir thame, we ourſelfis, with the remanent Nobilmen and utheris of the King our Soverane Lordis counſal that wer with us, paſt likewayis to the court: quhair the ſaid Quene our Soverane Lordis moderis commiſſioneris, preiſſand the trial of the ſaid Quenis interes in the murder of the King our Soverane Lordis father, hir husband *; at laſt, be thair erniſt and inceſſant provocatioun, it behuifit us to mak an additioun to our anſweris gevin in at *York*, quhairin we wer conſtranit to nominate the ſaid Quene, our Soverane Lordis moder, as gilty of the foirknawlege, counſal and device of the horribill murder of the King, our Soverane Lordis fader, perſwader and commandar of the ſaid murder to be done, maintenar and fortifiar of the executouris thairof; having, before the ingeving of the ſaid additioun, and befoir we enterit farder in the grund of the matter, maid our ſolempn pro-

* No, no. They had never mentioned it.

proteſtatioun *; that we had na delyte to ſé the ſaid Quene our Soverane Lordis moder, diſhonourit, and that we cane not willinglie † to hir accuſatioun of ſo odious a crime; bot that we wer thairto enforcit be hir awn preiſſing, and our adverſaris, hir commiſſioneris, in quhais default his ſchame ſould be diſcloſit, quhairby thay ſould preiſs us to cum to that anſwer, quhilk thay knew we had juſt cans to mak in the end, and ſua to produce ſik evidences as they knew we had; quhilk was indirectly to preiſs earniſtlie hir perpetual infamie; quhairof, as of befoir, we proteſtit that thay, and not we, ſould be the chief procuraris eſtemit.

Thay ſéing us to cum to the plain probatioun of the truth, left off all farder debaiting of the matter as revokt be the Quene **, of quhom thay had commiſſioun, thairby flying the tryal, quhilk of befoir thay conſtranit us to enter into, for the probatioun of that we had allegit. And then being ſcharplie rebukit be hir Majeſties commiſſioneris, How we durſt be ſa bald, to utter ony ſik thing *, contenit in the ſaid additioun for our defence? we were conſtranit outher to underly the ignominy, or then, be manifeſtatioun of the very truth, to declair the juſt grounds of our proceidings: And for that effect we producit certane conjecturis, preſumptiounis, liklyheids and circumſtancis, quhairby we maid it to appeir, that, as *James* ſumtime Erle of *Bothvile* was the chief executour of the horrible and unworthy murder perpetrat in the perſoun of umquhile the King, our Soverane Lordis fader, ſa was ſcho of the foirknawlege, counſal, device, perſwader and commandar of the ſaid murder to be done, and maintenar and fortifyar of the executouris thairof. And for verificatioun of the ſaidis articlis, we produceit to the Quenis Majeſtie of *Ingland*'s commiſſioneris,

1. The

* How truly! See No. 13, 14, 15, 17, 18.

† Had ye not offered to do ſo in *June*? See No. 17 and 18.

** No, no. She diſcharged them, becauſe of manifeſt partiality, before ye either entered your proteſtation, or produced your eik. See the Papers of 22d *Nov.* 1568.

** Yes, ſo ye were. But ye had ſhown all before, and made a Bargain about it. See No. 18, and the Papers 9th, 11th *Octob.* and 26th *Nov.* 1568.

1. The namis of the Eſtatis of this realme convenit at *Edinburgh* in the moneth of *December* MDLXVII. quhair our Soverane Lordis coronatioun and inauguratioun in his kingdom was ratyfeit and found gude.

Item, We producit eight letteris in *French*, written be the Quenis awin hand, and ſens to the ſaid *James* ſumtime Erle of *Bothwille*.

Item, A little contract, or obligatioun, written by the ſaid Quenis awin hand, promiſing to marry the ſaid *Bothwille*.

Item, An uther contract, written by the Erle of *Huntlie*'s hand, of the date the x. of *April* 1567.

Item, The depoſitiounis of the perſounis who wer airt and part of the murder, and wer executed for the ſamin.

Item, The proceſs led aganis thame befoir the Juſtice and his deputies, quhairupon followit thair executioun to deith.

Item, The proceſs of *Bothville*'s pretendit cleanſing befoir the Juſtice.

Item, A proceſs of divorce, led betwixt the ſaid *James* ſumtime Erle of *Bothville*, and Dame *Jean Gordon* his ſpouſe, before the Commiſſaries of *Edinburgh*, for pretended cauſis of adultery on the ſaid Erle's part.

Item, Another proceſs of divorce led befoir Mr. *John Manderſton*, as Judge-delegate under the Archbiſhop of *St. Andrews*, allegit Primate and Legate.

Item, An inſtrument of compulſion, proving the ſaid Mr. *John* to have bene conſtranit to leid the ſaid proceſs of divorce.

Item, The proceſs of forfeiture led aganis the ſaid *James* ſumtime Erle *Bothville*.

Item, An act befoir the Lordis of Seſſioun, quhairby the Quene, after counterfeited raviſhing, declarit hirſelf to be at libertie.

Item, The ſaid Quenis conſent gevin to the Lordis to ſubſcribe the band for the promotioun of the ſaid *James* Erle *Bothville* to hir marriage.

Item, The proteſtatioun maid by the Lord *Herris* and uther is the time of the parliament.

Item,

Item, The act of the confirmatioun of the Kingis authoritie, and eſtabliſhing the regency, during his Hienes's minority.

Item, The declaration of *Thomas Nelſon*, ſpokin be his awin mouth, and writtin with his awin hand.

Item, The declaratioun of *Thomas Crawfurd*, alſua ſpokin by his awin mouth, and writtin with his hand.

Item, The declaratioun of the Erle of *Mortoun*, how the letteris came to his handis.

Item, The affirmatioun of the commiſſioneris, that the letteris wer the Quenis awin hand-writing.

The copies of all quhilk letteris, conferrit, red and conſiderit, wer deliverit to Mr. Secretary, in quhais handis thay remane.

Efter quhilk probatioun led, the ſaidis commiſſioneris for the Quenis Majeſtie of *England* allow'd of our proceidingis, declarand, that we had done the dewty of honeſt men; and that hir Hienes wald mantene the Kingis ſtate and our caus, till ſhe ſhould underſtand the contrary.

And hereupon we returnit into *Scotland* by hir Majeſtie's permiſſioun and gude favour, and ſince have done nathing, which, we traiſt, ſould ony wayis alter hir Majeſtie's gude will and favour towardis us: Nor zit have we got ony knawledge that hir Majeſtie has underſtuid ony thing of the ſaid Quene, to the contrary of that quhilk we alledgit and pruvit at our being in *Ingland*.

And gif furder pruif be requirit, we have ſent with zow the depoſitiounis of *Nicholas Hubert*, alias *Paris*, a *Frenchman*, one that was preſent at the committing of the ſaid murder, and of late execute to the deith for the ſamin. ***

NUMB.

NUMB. XXI.

Anſwer to the Earl of Murray's *propoſals to the* Engliſh *Queen*, ut ſuprà, Num. 18. *written by* Cecil.

Ult. Junij 1568. *Cot. libr. Cal. C.* 1. *fol.* 103.

Obj. THEY wold be loth to enter fyrſt into an accuſation of the Quene, and then after that to enter into a qualification.

Anſw. The Queen's Majeſty never ment to have any to come to make any accuſation of the Queen, but meaning to have ſome good end to grow betwixt the Quene and hir ſubjects, was content to hear any thyng which they had to ſay for themſelves; and if they will come into hir Majeſty's realme, they ſhall be heard.

Queſt. In caſe they ſhall prove all that which they ſhall alledge againſt the Quene, what they ſuld look to follow; for otherwiſe they ſhall be as uncertayn after the cauſe concluded as they are preſently?

Anſw. The Quene's Majeſty never meaneth ſo to deale in the cauſe, as to procede to any condemnation of the Quene of *Scotts*; but hath a deſyre to compound all differences betwixt hir and hir ſubjects, and therin not to allow any faults that ſhall appear to be in the Quene, but by reaſonable and honourable conditions to make ſome good ende, with ſufficient ſuerty for all partyes.

Queſt. Whyther, if the originals ſhall accord with the copys of the wrytings produced to charge the Quene of *Scotts*, the prove ſhall be thought ſufficient?

Anſw. No proves can be taken for ſufficient without hearyng of both partyes.

Queſt. At what tyme, and to what place they ſhall come?

Anſw. Without delay of tyme, ſo as ſome good ende may enſue before the firſt of *Auguſt*.

NUMB. XXII.

The Earl of Murray*'s receipt of the box and letters.* From the Records of *Murray*'s Privy Council.

Apud Edinburg. 16. Sept. Anno Dom. 1568.

THE quhilk day, the nobill and potent Prince *James* Erll of *Murray*, Lord *Abirnethie*, Régent to our Soverane Lord, his realme and liegis, grantit and conſeſſit him to have reſſavit fra *James* Erle of *Mortoun*, Lord of *Dalkeyth*, Chancelar of *Scotland*, ane ſilver box owergilt with gold, with all miſſive letteris, contractis, or obligationis for mariage, ſonettis, or luif-ballettis, and all utheris letteris contenit thairin, ſend and paſt betwix ye Quene, our Soverane Lordis moder, and *James* ſumtyme Erll *Bothvile*. Quhilk box, and haill pecis within the ſamyn, wer takin and fund with umquhile *George Dalgleiſche*, ſervand to ye ſaid Erll *Bothvile*, upon the xx. day of *Junii*, ye zeir of God 1567 zeirs; and thairfoir the ſaid Lord Régent for himſelf, and takand the burding upon him for ye remanent Nobillmen, and utheris, profeſſing the querrel and obedience of our ſaid Soverane Lord, exoneris, quitclaimis and diſchargis the ſaid Erle of *Mortoun* of the ſaid box, and of all the ſaidis miſſive wrytings, contractis, obligationis, ſonettis, luif-ballettis, and utheris letteris quhatſumevir fund and contenit thairin, the tyme of his recept and intromiſſioun thairwith; teſtifeing and declaring, that he has trewlie and honeſtlie obſervit and kepit the ſaid box, and haill writtis and pecis forſaids within the ſame, without ony alteratioun, augmentatioun, or diminutioun thairof, in ony part or portioun: And als the ſaid Lord Regent, upoun his honour, faythfullie promittis, that the ſaid haill letteris and writtingis ſal be alwayis readie and furthcumand to the ſaid Erle of *Mortoun*, and remanent Nobillmen that enterit in the querrell of revengeing of the King our Soverane Lordis

faderis

faderis mourthour, quhenſoever thay ſall haif to do thairwith, for manifeſting of the ground and equitie of thair proceidingis, to all quhome it effeiris.

NUMB. XXIII.

The Earl of Mortoun*'s receipt of the box and letters.* From the acts of *Lennox*'s Privy Council, in the Earl of *Haddington*'s collections.

Apud Edinb. xxii. Januarii 1570-1.

THE quhilk day, in preſence of the richt honorabil *Matthew* Erle of *Levinox*, Lord *Darnlie*, guidſchir, lauchful Tutor and Regent to our Soverane Lord, his realme and lieges, and Lordis of Secreit counſal; *James* Erle of *Mortoun*, Lord of *Dalkeyth*, Chancellar and greit Admiral of *Scotland*, being in reddineſs to paſs to the Quenis Majeſty of *Ingland*, as ane of our Soverane Lordis Commiſſionaris, for divers gryt and wechtie materis, concerning his Hienes and his eſtait, grantit and confeſſit him to have reſſavit fra the ſaid Lord Regent an ſilver box, overgilt with gold, with the miſſive letteris, contractis or obligatiounis for marriage, ſonettis, or luif-ballettis, and utheris letteris thairin contenit, to the number of xxi *, ſend and paſt betwix the Quene, our ſaid Soverane Lordis moder, and *James* ſumtime Erle *Bothville*: Quhilk box, and haill pecis within the ſamin, wer takin and fund with umquhile *George Dalgleiſche*, ſervand to the ſaid Erle *Bothville*, upon the xx. day of *Junii*, the zeir of God MD. thré ſcoir ſevin zeiris, and were deliverit, be the ſaid *James* Erle of *Mortoun*, to umquhile *James* Erle of *Murray*, Lord *Abirnethie*, uncle and Regent to our Soverane Lord for the time: Efter quhais deceis, the ſamin box and letteris wer recoverit out of the handis of his ſervandis, be the ſaid Erle of *Levinox*, now

* It ſeems the box has been very prolifick, for *per* Num. 29. they were not near ſo many.

Regent. Quhilkis letteris, being anteatiklie copeit, and ſubſcrivit with the handis of his Grace and Lordis of Secreit counſale, the ſamin copeis wer left to remane with his Grace *ad futuram rei memoriam:* And als the ſaid Erle of *Mortoun* promeiſt and obleiſt him, to bring agane and deliver the ſaid box, and principal letteris, to the ſaid Lord Regent, at his returning from this preſent legatioun.

NUMB. XXIV.

A Declaration by the Earl of Murray *and his colleagues, that the letters, and other papers exhibited by them to the Council of* England, *againſt Queen* Mary, *are originals, and authentick.*

An Original.

QUHAIRAS, for verificatioun of the eik or additioun to our anſwer, preſentit be us aganis the accuſatioun of our adverſaries, concerning the murther of umquhil King *Henry*, of gude memorie, our Soverane Lordis derreſt fader, we haif producit divers miſſive letteris, ſonnettis, obligatiounis or contractis for mariage betwix the Quene, moder to our ſaid Soverane, and *James* ſometime Erle *Bothwille*, as writtin or ſubſcrivit be hir hand; quhilks were interceptit, and cum to our handis, cloſit within a ſilver box, in ſic maner as is alredy manifeſtit and declarit: And we, be the tenour heirof, teſtifies, avowis and affirmis, upon our honouris and conſciences, that the ſaidis haill miſſive writingis, ſonettis, and obligatiounis or contractis, are undoubtedly the ſaid Quenis proper hand-write; except the contract in *Scottis*, of the dait, at *Seitoun* the fift day of *Aprile* 1567, written be the Erle of *Huntly*, quhilk alſua we underſtand and perfectlie knawis to be ſubſcrivit be hir, and will tak the ſame upon our honours and conſciences, as is beſoir ſaid. In witneſs quhairof we haif ſubſcrivit thir pre-

preſents with our hands, at *Weſtminſter* the 10th day of *December*, the zeir of God 1568 Zeirs.

JAMES, *Regent.*
MORTOUN.
AD. ORCHADEN.
PATRICK *L.* LINDSAY.
DUMFERMLING.

Cottonian Library, *Cal. C.* 1. *an Original. Indorſed by* Cecil *thus:* 12*th* December 1568. *Exhibited by* John Wood *at* Hampton-court, in præſentia *L. Keeper, Duke* Norfolk, *Earl* Bedford, *Earl* Leiceſter, *Lord Admiral,* William Cecil, Ralph Sadler, Walter Mildmay.

NUMB. XXV.

The moſt material Tranſactions at the Conferences at York *and* Hampton-court.

At the city of *Zorke*, within the realme of *Ingland*, on *Monounday* the ſeird day of *October*, the zeir of God MD. thré ſcoir aucht zeiris, in the Dean's place within the ſamin. In preſence of ane nobil and mightie Prince *Thomas* Duke of *Northfolk*, Erle Mariſchal of the realme of *Ingland*; *Thomas* Erle of *Suſſex*, Viſcount of *Fitzwater*, Lord *Egremount* and *Burnel*, Lord Preſident of the counſal eſtabliſht in the north; and Sir *Ralph Sadler*, Knicht, Chancellar of the Dutchie of *Langcaſter*, Commiſſionaris appointit be the Quenis Majeſtie of INGLAND, comperit ane reverend father in God *John* Biſchope of *Roſs*, *William* Lord *Levingſtoun*, *Robert* Lord *Boyd*, *Gavin* Commendatar of *Kilwinning*, Sirs *John Gordoun* of *Lochinwar*, and *James Cockburn* of *Skirling*, Knightis, Commiſſionaris conſtitute and deputit be ane richt excellent, richt heich and mightie Princes MARY, be the grace of God, Quene of SCOTLAND, and douariar of FRANCE, thair Sove-

Soverane Ladie, for this preſent conference: And the ſaidis Commiſſionaris for the Quenis Hienes of *Ingland* producit ane commiſſioun gevin under the greit ſeill of *Ingland*, and ſuſcrivit with hir Grace's hand at the beginning, as uſe is; in the quhilk the ſaidis Duke, Erle of *Suſſex*, and Sir *Ralph Sadler*, were conſtitute Commiſſionaris to treit, determine and conclude in the conference to be had, as is contenit in the ſaid commiſſioun. Quhilk being red in thair preſens, thay deliverit an authentick copie thairof, under the ſubſcriptioun of *Robert Higford* Scribe of thair counſal, quhairof the tenor followis:

Commiſſion by the Queen of England *to the Duke of* Norfolk, *the Earl of* Suſſex, *and Sir* Ralph Sadler.

A Copy.

ELIZABETH, by the grace of God, Queen of *England*, *France* and *Ireland*, Defender of the Faith, unto all manner of perſons to whoſe knowledge theſe preſents ſhall come, greeting: Foraſmuch as the Almightie and moſt merciful God hath ſo ſingularly, beyond all former late exemple, to be found in any of our predeceſſors, Kings of this realme, bleſſed us and our countrie, from the beginning of our raign, with ſuch a perpetual and univerſal inward good peace and tranquility, as no manner of adverſaries, either by their power and forces abroad, or by their provocations of any of our ſubjects at home, could hitherto interrupt or diſcontinew the ſame; and that it is for all Chriſtians very lamentably to be ſeen and heard, how the more part of all the regions in *Europe*, and ſpecially thoſe which are next to us have, or do lack the like ſingular bleſſing of peace by one occaſion or other: We ſitting under the protection of the ſame Almighty God, as it were by his goodneſs in the chaire of peace, environed with feare of troublis, cannot but of moſt bounden dewtie firſt recognize with all humbleneſs and thankfulneſs for ourſelves and all our people, this bleſſedneſs to procede only and freely of the mere good-

goodneſs and ſingular favour of our merciful God, with which alſo is joyned, through his ſpecial goodneſs, the revelation of his holy will, by the diſpenſation of his goſpell in our countries, and next thereto indevour ourſelf, by all good means, to uſe this opportunity of our peaceable reigne, to the reliefe and ayde of our neighbours, being deſtitute of peace, and afflicted with evill warrs. And therefore, conſidering our dere ſiſter and couſyn *Mary* Quene of *Scotts*, being of all other Princes next to us, both by blood and habitacion, hath been, through long differences betwixt hir and hir ſubjects, conſtrayned to come into this our realme, whom we have cauſed to be entertayned with as much favour and comfort, as the hardneſs of the time, the nature of the place, and other circumſtances, for the which hir ſubjects pretended their ſeparation from hir, and have ſubmitted themſelves under ane obedience to the Prince hir ſon, could permitt us. We have thought it conſonant, firſt, to the dewty we bear to Almighty God, who is the God of peace, and next, mete for our ſtate, being called by God's grace, as ſhe alſo hath byn to govern over kingdoms; and laſtly, agreeable with Chriſtian duty and charity, whereby we are bound to our power to releave our neighbours being afflicted, to offer to our ſaid ſiſter, in this hir affliction, help and relief, as far furth as God hath and ſhall gyve us power, for his honour and hir weal, and as the goodneſs of her cauſe ſhall miniſter matter to us, and therewith to reduce hir realme and ſubjects from diviſion and hoſtility, into an union of peace and concord among themſelves, whereunto finding the ſaid Queen our ſiſter, by hir ſundry meſſages and letters to us directed, very agreeable and deſirous to have us, afore any other Prince in the world, to underſtand hir whole cauſe, and thereupon to releave hir in ſuch ſort as in honour and friendſhip we ſhuld fynd neceſſary and meet, and having alſo for this purpoſe, at hir requeſt, ſent and required them of the other part, which profeſs their obedience to hir ſon the Prince, that ſome of the principal of them wold come into our realme to anſwer to ſuch things as ſhuld be on the behalfe of our ſaid ſiſter objected againſt them, and

there-

thereupon to abide our order, whereunto they have alſo accorded: We therefore, upon the certen knowledge that we have of the fidelity, wiſdom, circumſpection, and honourable eſtates and degrees of our right truſtie, and right entirelie beloved couſen and counſellor *Thomas* Duke of *Norfolk*, Erle Marſhall of our realme of *England*; of our right truſty and right well beloved couſin and counſellor *Thomas* Erle of *Suſſex*, Lord Preſident of our counſell eſtabliſhed in the north, and having likewiſe good experience of the fidelity and wiſdom of our right truſty and welbeloved counſellor Sir *Ralph Sadler* Knight, Chancellor of our Duchy of *Lancaſter*, have made, conſtituted, and ordained them, and by theſe preſents do make, conſtitute, and ordaine *Thomas* Duke of *Norfolk*, *Thomas* Erle of *Suſſex*, and Sir *Ralph Sadler*, to be our commiſſioners and deputies eſpeciall, giving and granting to them three full power, authorité and commandement, generally and ſpecially, for us, and in our name, to commune, treat, and conclude with our ſaid ſiſter, or hir commiſſioners and deputies ſufficiently authorized, and alſo with *James* Erle of *Murray*, and all others of the realme of *Scotland*, that ſhall come into our realme in the name of our couſyn the Prince, ſon to our ſaid ſiſter the Queen, whyther he ſhall be named and titled King or Prince of *Scotland*, upon all manner of hoſtilities, differences, controverſyes, queſtions, matters, debates and contentions, of what nature ſoever the ſame be, or which hath been betwixt the ſaid Queen and any of her ſubjects on the one part, and the ſaid Erle of *Murray*, or any other ſubject of *Scotland*, refuſing to obey her, and adhering to hir ſon on the other part; and alſo upon any cauſe or matter depending undecided, or not ended betwixt our ſaid ſiſter and us, or betwixt any of our ſubjects on eyther part; or for the further confirmation, reformation, and augmentation of any treaty of peace heretofore made and conclude; dor for the contracting and eſtabliſhing of any other treaty or confederation for increaſe of amity, peace and concord, not only betwixt our ſaid ſiſter and us, but betwixt our realmes, contries, peoples and ſubjects, and generally to do and conclude all things which ſhall be mete and neceſſa-

neceſſary for the premiſſes, or any part thereof; promiſing in the fathe and word of a Quene, that we will conform, ratifye, and allow for ever all and ſingular things, which ſhall be concluded, tranſacted, and capitulated by our ſaid commiſſioners. In witneſs whereof we have cauſed theſe our letters patents, ſigned with our hand, to be ſealed with our great ſeal of *England*, the 20th day of *September*, a thouſand fyve hundred thréſcore and eight, in the 10th year of our reigne.

NUMB. XXVI.

Inſtructions by Queen *Elizabeth* to her Commiſſioners,

INTITULED,

A memorial for the order in proceeding of the Duke of Norfolk, *the Erle of* Suſſex, *and Sir* Ralph Sadler, *the Queen's Majeſtie's Commiſſioners appointed and authoriſed by her Majeſtie's commiſſion to meet at the city of* York, *with ſuch of the Nobility of* Scotland *as ſhall be authoriſed from the Queen of* Scots *on the one part, and with ſuch others of the Nobility of the ſame realme, as ſhall be appointed for, and in the name of the Prince the ſaid Quene's ſon, entitled alſo King of* Scots, *on the other.*

Interlined in ſeveral places by Secretary *Cecil*'s hand.

I. THE ſaid Commiſſioners ſhall notify to the Queen of *Scots*, or to her Commiſſioners, the tenor of their commiſſion, and ſhall require the ſight of the ſaid Queen's commiſſion, and thereupon offer themſelves ready to do all good offices for the honor and wealle of the ſaid Quene, according to their commiſſion, and as they are ſpecially charged by the Quene's Majeſtie in that behalfe.

II. They ſhall alſo ſignify to the Erle of *Murray*, or to ſuch as ſhall come in the name of the Prince, the cauſe of their coming, and require the ſight of their commiſſion, and ſo ſhall uſe expedition for their meeting in ſome convenient place; and ſhall firſt deviſe by ſome ſpecial order, that neither of the two parties, nor any of their traines, ſhall move any trouble againſt other by ſpeche, countenance, or act, directly or indirectly, during the Time of this treaty. For which purpoſe it may be well done to cauſe a certificate to be made to them of the numbers and ſpecial names of the perſons of either part, ſo as by order they may be favourably uſed in the ſaid city, and that no other diſorderly perſons of *Scotland*, or other ſtrangers, under colour of this aſſembly, ſhall have reſort to the ſaid city.

III. They ſhall fyrſt heare the requeſts or complaints of the Quene of *Scotts* Commiſſioners apart by themſelves, and require them to have them put in writing briefly, and therewith they ſhall alſo apart charge the other party as earneſtly, as the cauſe ſhall require, and ſhall demand their anſwers, not only in ſpeche, but alſo in writing.

IV. They ſhall declare to both the parties, how her Majeſty hath expreſly charged them, in conference with them about this charge, that they ſhould in all their actions regard their duties to Almighty God, and in no wiſe to furder any thing, otherwiſe than their conſciences ſhould bear witneſs in the preſence of God, to be honeſt, juſt, reaſonable aud true: For ſo hir Majeſtie expreſly ſaid to them with great earneſtneſs, that her intention in this action was grounded upon a ſound conſcience in the ſight of God; and as ſhe had conceived the ſame in the fear of God, ſo ſhe committed the ſame charge to them, hoping that they would diſcharge the truſt repoſed in them, and wiſhed the like to be found in the parties with whom they ſhould treat at this tyme; and that both they hir Commiſſioners, and all the reſt, wold, before they entred into this action, take a corporal oath to advance and furder nothing, but that which in their conſciences they ſhall think to be true, honeſt, reaſonable and juſt. And to that end the Commiſſioners may move

move both parties, as they ſhall find their diſpoſitions, to receive a ſolemn oath, and proceed accordingly upon the foundation of the fear of God, which is the beginning of all wiſdom.

V. As ſoon as tyme ſhall ſerve convenient to treat with both parties together, how to come to ſome reaſonable end, theſe and ſuch like things hereafter following are to be well conſidered:

I. If the Erle of *Murray* and his partie ſhall alledge, that although they can juſtly convince the Quene of the great crimes wherewith ſhe hath been burdened, yet they find it not expedient ſo to do, upon the doubt they have that the Quene's Majeſtie will, notwithſtanding any crime proved upon her, reſtore her to her kingdom and rule, whereupon they ſhould never be free from her indignation; and ſo they will ſtay and not proceed, without they may know her Majeſtie's purpoſe, in caſe the ſaid Quene ſhould be proved guilty of her husband's murder.

It may be anſwered by the Quene's Majeſtie's Commiſſioners, That indeed her Majeſtie's deſire hath been alwiſe from the beginning, that the ſaid Quene might be found free, ſpecially from the cryme of her husband's murder. Nevertheleſs, if her Majeſtie ſhall find it to be plainly and manifeſtly proved, (whereof ſhe would be very ſorry) that the ſaid Quene of *Scotts* was the deviſer and procurer of that murder, or otherwiſe was guilty thereof, ſurely her Majeſtie would think her unworthy of a kingdom, and wold not ſtayne her own conſcience in mayntainance of ſuch a deteſtable wickedneſs, by reſtoring her to a kingdom. But if if it ſhall not be proved probably and apparently, that ſhe was guilty of her husband's death; yet, becauſe the ſuſpicions and conjectures to be produced againſt her, may ſeem nearly to touch her in miſgovernment of herſelf, and that ſundry other her apparent actions, as well in the marriage of *Bothwell*, and maintenance of him in his notorious tyranny, as in other things, may ſeme to deminiſh and abaſe her princely eſtate and reputation of a Quene and governor of a realme; the Quene's Majeſtie, meaning to have ſome

good end of all theſe troubles, as thairby peace and tranquility might be recovered and continue in that realme, and that reaſonable conſideration might be had of the princely ſtate, whereunto ſhe was born, from the which ſhe never departed, but, for fear of her life, wold have it conſidered by them, being ſubjects born of that realme, in what ſort and in what manner ſhe might be reſtored to her crown, without danger of her relapſe into the like defaults, and without any like civil diſſentions to follow as of late hath happened.

And the ſaid Commiſſioners having thus anſwered, and declared her Majeſtie's plain manner and intention, ſhall ſay, they muſt needs leave it to the choyce of them, being principal parties hereto, what they will do therin. Whereupon if they ſhall be content, and procede to charge her as guilty of her husband's death, and ſhall produce matter manifeſtly probable to convince her thereof, then the commiſſioners ſhall ſpedily advertiſe her Majeſtie.

But if they ſhall, notwithſtanding the Commiſſioners foreſaid anſwer, either forbeare to charge her, or ſhall ſhew no ſufficient matter to convince her of the murder of her huſband, then, according to the anſwer aforemaid, it muſt be required of them to conſider in what ſort the ſaid Quene may be reſtored to her crown, according to her eſtate, without danger of a relapſe to fall into miſgovernment, or without the danger of her ſubjects to fall into her diſpleaſure without their juſt deſert. And though there may be many ways to be thought of not unmete, yet before any deviſe ſhall be touched by her Majeſtie's Commiſſioners, they of the other party ſhall firſt be induced to propound their deviſes, which, becauſe they are likely to be for the advantage and ſurety of themſelves, and prejudicial and very diſhonorable for the Quene of *Scotts*, the Quene's Majeſtie's Commiſſioners ſhall, by conference with them, labour to induce them to ſome indifferent means, and do their uttermoſt that both the parties may, upon conferences together, accord to have her reſtored to her kingdom, with ſuch conditions as thereby ſhe may be reſtrained from miſgovernment

and

and diſorder of hir realme. And herin good foreſight wold be had, that the ſame may come and procede from the other parties, either of the one ſide or the other, and not from her Majeſtie's Commiſſioners, who may well ſay, that it properly belongeth to themſelves, to propound and deviſe the manner how their own country ſhall be governed. Whereupon the Quene's Majeſtie's Commiſſioners ſhall offer all indeferency to furder ſuch means as ſhall ſeme reaſonable for both parties. And becauſe her Majeſtie's Commiſſioners may be alſo inſtructed what may ſeme to her Majeſtie reaſonable in this caſe, her Majeſtie wold have them underſtand certen things hereafter following, which they ſhall take rather for inſtruction, to judge thereby the reaſonableneſs of the things propounded, either by the *Scottiſh* Quene's Commiſſioners, or by the others, than directly to propound any of them as things deviſed or deſired by her Majeſtie. And as things ſhall be propounded on the one party, tending for their advantage, ſo the ſame may be notifyed to the other, and by conference ſo ordered, as the articles and deviſes that ſhall tend to abridge the Quene's authority, may plainly appear to come of themſelves, and not of her Majeſtie's Commiſſioners.

Firſt, It ſemeth very mete, that this treaty ſhuld be tripartite; that is, betwixt the Quene's Majeſtie of *England* on the one party, as principall author and mediator of the ſame, and the Quene of *Scotts* on the ſecond, and the Prince hir ſon on the third. And that the whole accord may be alſo ſpeedily confirmed by act of parliament in *Scotland*; whereby both the Quene of *Scotts* and her ſubjects may be in juſtice bound to obſerve the ſame; and the Quene of *England*, by her great ſeale of *England*, to mayntene the ſame. And that alſo from the end of the treaty, until ſome convenient time to follow the end of the ſame parliament, there might remaine three or four good hoſtages of either part in *England*, for the more orderly holding of the parliament, and better obſervation of the treaty. And hereunto may well be added to be thought of, that the ſaid parliament

liament might be kept and ended before the Quene of *Scotts* return to her contrey.

I. The firſt article in this accord wold be in this manner or ſuch like: That all things, (ſaving only the murder of the King) which have been attempted by the Quene, or any of her party againſt them, which took the part of her ſon the Prince as their King: And all things on the ſaid Prince's part, and them which avowed their actions in his name as King, from the death of the Quene's husband, ſhuld be committed, after this treaty ended, to a perpetual oblivion; and that no action, damage, offence, calumniations or reproach, ſhuld, at any time to come, be uſed or extended any manner of wiſe, be one againſt the other, upon ſome great paines.

II. It is moſt neceſſary to be provided, that by the ſaid Quene of *Scotts* own princely motion, upon good perſwaſion to be made to her in that behalfe, it may be accorded, That the realme of *Scotland* may be governed under her as Quene of the realme, by a grand councell of a convenient number, to be now choſen and ſtabliſhed at the tyme of this treaty, of the noble and wiſe men of birth of that realme, and the ſame to be alwiſe renewed by the more part, or two third parts of the ſaid councell, when any of the perſons of the ſaid councell ſhall depart, or become impotent to ſerve. For otherwiſe the quiet of the Quene herſelf, and the realme alſo, by private government, ſhall be eaſily broken, and the whole fruit of this treaty, and the Quene's Majeſtie's labours, utterly fruſtrate. In which matter alſo is to be remembred, in what ſort the principall officers of the realme ſhall be appointed, being at the Quene's diſpoſition, as ambaſſadors and meſſengers to and from forrayn Princes, the Chancellor, the Archbiſhops, Biſhops, the Lord Juſtice, the Controller, the Treaſurer, the Admiral, the Chamberlain, the Preſident and Lords of Seſſion, the Captains of caſtles, the Sheriffs, the Provoſts of burghs, the Wardens of the marches, and all officers of finances, and ſuch like, as may be for the good obſervation of this treaty.

III. It is to be remembred, that the Quene, in reſpect of

of her undeſcrete marriage with *Bothwell*, may accord not to marry, nor contract marriage with any perſon, without the aſſent of her Thré Eſtates, or the more part thereof, upon payne that the perſon with whom ſhe ſhall contract, and all others counſelling or furdering the ſame, ſhall be, *ipſo facto*, adjudged as traitors, and ſhall ſuffer death and forfit, as in caſes of treaſon.

IV. That all good means be deviſed and accorded how to procede ſeverely againſt the ſaid *Bothwell*, and all other ſubjects or ſervants to the crown of *Scotland*, for the murder of the ſaid King, or for maintainance and comfort of the ſaid murderers, and their lands confiſcated to the crown of *Scotland*, with a clauſe, never to be granted away from the crown, without aſſent of parliament.

V. That all laws and orders accorded upon by parliament, as well before the Quene's impriſonment as ſince, for the helpe and ſuſtentation of the miniſters of the church, and for advancement of true religion, and abrogating of idolatry and ſuperſtition, may remayne in full force, and continew without repealing of the ſame, otherwiſe than by a ſufficient parliament.

VI. In particular alſo, it is meet to be remembred, that no ſtranger born be entertained in that realme in the room of a captain or of a ſoldier: Nor that any ſtranger born have any office ſpiritual or temporal within the realme; nor that any penſion be granted to any ſtranger out of any office ſpiritual or temporal; nor that any perſon bear any office within that realme, which openly by any act hereafter ſhall hereaſtar avow that the Biſhop of *Rome* ought to take any other preheminence within that realme, than ſuch as the King or Quene of that realme and their ſucceſſors, with the conſent of the Thré Eſtates in parliament, ſhall allow.

VII. It is alſo very neceſſary to provide for the ſafety of the life of the young Prince, conſidering all ſuch as ſhall live in *Scotland* having been indeed privy to the murder of his father, though not thereof convinced, ſhall and may be ſuſpected, that they will deſire the death of the Prince, fearing his avenge when he ſhall come to age. And in this behalfe

halfe it is to be well conſidered, in what place, and with what perſon he ſhall remayne, and with what allowance of the revenue of the crowne he ſhall be maintained; and if it may be indirectly procured to come of the Quene of *Scotts* herſelf, it ſeemeth good and ſafe for all parties, that the Prince might be brought and nouriſhed in *England*, in the charge and cuſtody of perſons of the birth of *Scotland*.

VIII. It were alſo meet, that the titles and challenges of the crown heretofore made, as well by one party as another, were made perfectly clear and certainly eſtabliſhed, thereby to take away factions amongſt the ſubjects.

IX. It may be reaſonably required of the Erle of *Murray* and others, that, conſidering the many difficulties that may ariſe upon the underſtanding of this treaty, and ſpecially in choice of the great officers of the realme, by reaſon of many competitors amongſt the Nobility, that it may be at the requeſt of the whole Nobility of *Scotland*, and with the good conſent of the Quene of *Scotts* accorded, that the Quene's Majeſty of *England* may have power to be as umpire and principal arbiter, to determine upon all contraverſies aryſing upon this treaty, and ſpecially in choice of any ſuch officer, ſo as her Majeſtie make no other interpretation, nor name none to any office, but ſuch as ſhall be adjudged or named by the Quene herſelf, or by one third part of the grand counſell of the realme for the tyme being: And that whoſoever ſhall intromit himſelf to do any thing therein contrary, and without the judgment of the Quene's Majeſtie of *England*, as above is limited, ſhall be judged as a perturbator of the common tranquilitie of that realme, and ſhall be incapable of any manner of office for ever, or otherwiſe puniſhed with ſome ſharp paine; and that it ſhall be leefull for any of the Nobility or ſubjects or *Scotland*, being grieved or injured with any thing committed againſt this treaty, to reſort to the Quene's Majeſtie of *England*, to make reaſonable complaint, without any impechment of the Quene of *Scotts*, or any other; and that for ſo doing they ſhall incur no forfeiture of life, lands or goods, nor be any wiſe damaged in their body.

X. It

X. It is alſo neceſſary, for the more aſſurance of the obſervation of this treaty in the behalf of the ſubjects of *Scotland*, to be accorded, that if the Quene of *Scotts* ſhall willingly break, or permit to be broken, any part of this treaty concerning the ſurety of any of hir ſubjects, which have, ſince the death of hir husband, and before the preſent treaty, holden part againſt her, and that ſuch her breaking, or permiſſion of the breaking, be fyrſt notifyed to the Quene of *Scotts*, and adjudged by the Quene of *England* againſt the Quene of *Scotts*, having thereto the aſſent of the third part of the grand counceil aforementioned, or of ſix Lords of parliament of *Scotland*, being not parties againſt the ſaid Quene at the time of this treaty, of their heyres ſucceeding them in their eſtates, being above the age of twenty one; In thoſe caſes, without ſuch reformation made by the Quene of *Scotts*, as to the ſaid Quene of *England*, and the ſaid third part of the ſaid counceil, or the ſaid number of ſix Lords of *Scotland* aforeſaid, ſhall ſeem meet, and be aſſigned and notified to the ſaid Quene.

It ſhall be leefull, immediately upon publique knowledge gyven by the Quene of *England*, by open proclamation in the Towns of *Berwick* and *Carliſle*, conteyning the particular brech of the treaty, and the manifeſt refuſal of the reformation, for the Prince of *Scotland* her Son, or any of the Nobility of *Scotland* for him, whilſt he ſhall be under the age of fourteen, (if he, the Prince, be then living;) and if he ſhall be dead, then for the next heyre to that crown, to enter into the real poſſeſſion of the ſaid crown and kingdom, and every part thereof, in like manner as the ſaid Quene were departed from this life; and the ſaid Quene ſhall, by virtue of this treaty, forbeir to hold the ſaid ſtate or title, as Quene of that realme, and ſhall not enjoy any thing of the ſaid realme, otherwiſe than ſuch proviſion of the yerely revenue of the ſaid crown, as heretofore hath been allowed at any time to any wife of a King of *Scotts* for a dowry, if ſhe ſo will accept and obey the foreſaid judgment of the Quene of *England*, being made with the aſſent of the ſaid third part of the ſaid counſell, or of the ſaid ſix

Lords of *Scotland*, or their heyres being of the age of twenty one. And whosoever shall attempt any thing contrary to the said Prince, or the next heyre to the crown, sayling the Prince, after his or their entry or clayme of the said crown, shall be *ipso facto* taken and used to all intents, as a traytor adjudged and condemned.

Certen other things necessary to be remembred in this treaty, for the behalfe of the Quene's Majestie and her realme.

I. *In primis*, That the treaty made at *Edinburgh* in *July*, *Anno Dom.* 1560, may be ratifyed and confirmed. In the treating whereof, if objection be made, that there are certain clauses in the said treaty, as namely in the fifth article, which do bring great prejudice to the Quene of *Scotts*, in that it is accorded, that she shuld, from the time of that treaty, forbear to use the stile, title, or armories of *England*, whereby it may be indirectly gathered, that she shall be excluded, not only during the life of the Quene's Majestie, and of the lifes of the heyres of her Majestie's body, (which indeed was expressely ment on both parts at the time of the treaty) but also after the determination of the lifes of the Quene's Majestie, (which God long preserve) and also of the heyres of her body, of which cause at the time of the treaty no mention was made; therefore now at this treaty, after the said confirmation to be made of the said treaty made at *Edenburgh*, there may be a proviso thereto now of new devised, that no part of the said treaty made at *Edenburgh* shall bind the said Quene of *Scotts*, or her children, after the determination of the life of the Quene's Majestie, (which God long preserve) and the heyres of her body.

II. It wold be also required, if it may be reasonably obteyned, that a league shuld be made at this tyme betwixt the Quenes of *England* and *Scotland* for themselves, their realmes and subjects; that either of the realmes shuld ayd the other, in case that any other prince should fyrst invade them, or any parcel of them, without notorious cause gyven by open wars to the invador; wherein if any difficulty be made, because of the old league of *France* and *Scotland*, *first*, There

may

may be much ſaid, and cannot be denied, of the commiſſioners of *Scotland*, to prove that *Scotland* hath theſe many hundred years taken more harm than good by that treaty.

And *2dly*, Tho' the treaty with *France* ſhall be thought perceaſe not meet to be utterly diſſolved, yet in this particular ſort to contract, as is expreſſed in this article, may be ſaid, is not againſt the true intent of the league of *France*; for by that treaty the Kings of *Scotland* are bound to ayde *France*, if *England* ſhuld move war againſt *France*, but not if *France* ſhall fyrſt move War againſt *England*.

III. As it is well covenanted by ancient leagues betwixt *England* and *Scotland*, that neither of them ſhuld receave or ayde any rebell as fugitive of the other; ſo the like accord would be made at this tyme for *Ireland* and *Scotland*.

IV. It wold be alſo accorded, that if the Quene of *Scotts*, during her life, ſhall ayde, or willingly permitt any of hers to ayde any Prince or potentate, to invade, by hoſtility, the realmes of *England* or *Ireland*, or any iſles, or members of any of the ſaid Kingdoms, that thereupon immediately the ſaid Quene ſhall forfeit and looſe all manner of title or challenge that ſhe hath, or any wiſe can pretend, to be inheritable to the crown of *England* or *Ireland*.

V. It were neceſſary that the contraverſy yerely ariſing, by occaſion of certen grounds upon the frontiers in the eaſt marches, commonly called the threap-land, or debatable, were determined by judgment, that ſuch of that which is to be proved not litigious, may be ſo ſtabliſhed in the quiet poſſeſſion of them that have right; and the reſt that is litigious and doubtful, to be equally divided by metes and bounds, as the debatable was in the weſt borders in the time of King *Edward* the VIth.

VI. If the Quene of *Scotts* ſhall ſend any meſſage or letter to the commiſſioners, they ſhall hear it; and if the ſame ſhall require any anſwer, they ſhall gyve or write ſuch anſwer as to their diſcretions ſhall ſeem meet, being not repugnant to theſe inſtructions, and of their doings ſhall advertiſe her Majeſtie.

NUMB. XXVII.

The firſt daie of ſeſſion of the Quene's Majeſtie's Commiſſioners at Yorke, *holden the 4th daie of* October, Anno Dom. 1568, *the articles whereof inſue.*

From the Duke of *Norfolk*'s book of entries.

THE Quene's Majeſtie's Commyſſioners thinkinge mete, firſt to call the Commiſſioners on the parte of the Quene of *Scottes*, cauſed them to ſitte downe; Which done, the the Quene's Majeſtie's Commyſſioners opened unto them the effect of the good intent and meaning of her Highnes, in wiſhinge good end of the differences, debates and contentions, growen and contynewed betwene her deare ſiſter and couſyn *Marie* Quene of *Scottes* and her ſubjects; for which intent they declared they weare ſent hither with her Highnes commyſſion, to comme and treate with bothe parties. And thereupon the Quene's Majeſtie's Commiſſioners ſhewed them their commyſſion; which being read, demaund was made of the ſight of theirs; whereof at firſt they made ſome ſtaye, notwithſtanding in end ſhewed it. Then the Commyſſioners for the Quene's Majeſtie made offer unto them of a copie of their commyſſion, ſo that they might in like receive a copie of their commyſſion; wherewithall they were well contented, and promiſed accordingly. Notwithſtandinge, when the Quene's Majeſtie's Commyſſioners ſent them their copie, and demaunded theirs, they anſwered, that they wolde cauſe a commyſſion to be drawen in ſome better forme, and then wolde deliver a copie thereof. But the Quene's Majeſtie's Commiſſioners ſent them word, that if they wolde firſt deliver in a copie of that commyſſion they ſhewed them, they wolde after receive the copie of the other. The morrow after, being the 5th daye, the Biſhoppe of *Roſs* promiſed to deliver bothe a copie of the firſt commyſſion they ſhewed, and alſo a copie of the other that they ſhoulde receive; how-

howbeit the 6th daye they brought in a copie of the ſecond, but none of the firſt.

The Commiſſioners of the Queen of England.

Duke of NORFOLK,
Earl of SUSSEX,
Sir RALPH SADLER, *Knt.*

The names of the Commiſſioners for the Queen of Scots.

The Biſhoppe of ROSS.
The Lord BOYDE.
The Lord LEVINGSTON.
The Lord HERYS.
The Abbot of KYLWYNNING.
Sir JOHN GORDON *of* LOCHINVAR, *Knight.*
Sir JAMES COCKBURN *of* SKIRLING, *Knight.*
Examinatur.

The names of the Commiſſioners on the part of the Prince.

The Earle of MURRAY.
The Earle of MORTON.
The Biſhoppe of ORKNAY.
The Lord LYNDESAY.
The Abbot of DUMFERMELIN.

The names of the Aſſiſtants.

The Laird of LETHINGTON,
JAMES MACGILL.
HENRY BALNAVYS.
The Laird of LOCHLEVIN.
Mr. GEORGE BOQWHANNAN.
Mr. DAVID LYNDESAY.

NUMB. XXVIII.

The Seſſion of the ſecond daye, being the fifth of October.

From the Duke of *Norfolk*'s book of entries.

THE ſecond daye, the Quene's Majeſtie's Commyſſioners, called the Erle of *Murray* and others, ſuche as they underſtode to be joyned in commyſſion, on the parte and behalf of thoſe which have profeſſed their obedience to the young Prince the Quene of *Scottes* ſonne. To whom in like, after they weare ſet, and the intent of the Quene's Majeſtie

jeſtie by her Commyſſioners was opened and declared, they read and ſhewed her Highnes commyſſion, demaunding the ſight of theirs. Whereunto the Earle of *Murray* anſwered, that at their laſt parliament, when it was thowght that he might not conveniently come himſelfe, it was concluded, that divers Noblemen ſhulde be ſent in this treatie, ſuffyciently authoriſed by commyſſion under the Great Seale of *Scotland*; notwithſtandinge now, foraſmuche as he was preſent himſelf, he thowght himſelf ſufficient warraunt to treate and conclude of anie thinge, whiche ſhulde be moved in this treatie; conſyderinge he was faithfully to promiſe that, whatever ſhulde be concluded in the ſame, he wolde confirme by the Great Seale of *Scotland*: Howbeit, when he and the reſt perceived that the Quene's Majeſtie's Commiſſioners weare not ſatisfied therewith, they offered to exhibit ample commyſſion under the Great Seale of *Scotland*, to authorize them proceade with her Hignes Commyſſioners accordingly, and ſo to geave in a copie of the ſame commyſſion. After this, the Quene's Majeſtie's Commyſſioners ſhewed them a forme of an othe, which her Highnes thowght requiſite to be miniſtred unto them, for the better furtherance of all trouthe in this treatie; which when they had read, they thanckfully accepted: Notwithſtanding required, they might in ſome things alter the ſame. In the afternoone they browght in the forme of their othe by them deviſed, ſomwhat differing in words, but little in effect, from the forme of that whiche the Quene's Majeſtie's Commyſſioners gave them. The 6th daye of *October* they delivered to the Quene's Majeſtie's Commyſſioners their commyſſion under the Great Seale of *Scotland*, and afterwards alſo ſent a copie of the ſame. This daye alſo the Commyſſioners on the part of the Prince delivered a complainte againſt the Earle of *Huntley*, for ſummoninge the Provoſt of *Aberdeen*, whiche, they ſaide, was againſt promiſe.

NUMB. XXIX.

The Seſſion of the third day, being the ſixth of October.

From the Duke of *Norfolk*'s book of entries.

THIS daye the Quene of *Scottes* Commyſſioners ſhewed a new commyſſion, whereupon the Quene's Majeſtie's Commyſſioners well advyſinge, grew in queſtion with them, aſwell abowt the preamble of the ſame, for that it did importe the Quene's Majeſtie of *England* had taken upon her to reſtore the Quene of *Scottes* to her realme and authoritie; as alſo for that by the ſame the Commyſſioners had power to treate of all things tendinge to the reduction of her ſubjects unto her obedience, and not upon the cauſes which have moved the controverſies. Notwithſtandinge the Quene's Majeſtie's Commyſſioners did neither well allow, nor diſallowe of that their commyſſion, but took it as it was, till they ſhould further underſtande of the Quene's Majeſtie's pleaſure. Then the Commyſſioners for the Quene of *Scottes* ſaid, it was not meante otherwiſe, but thereby to treate alſo of the cauſes; and therefore promiſed, that if it lacke forme, they would procure to have it amended. Upon this the Quene's Majeſtie's Commiſſioners moved them to take an othe for the trewe and ſinceare proceading in this treatie, like as before they had done to the Commyſſioners on the other ſide. Wherein they made ſome difficulties; and eſpecially the Lord *Herryes*, who was content to promiſe by othe, to propounde nothinge but that was juſte and true, but in no wiſe to ſaye all in this matter which he knew to be trew: And ſo they deſired to pawſe thereon a while, and they wolde make an anſweare. In the afternoone, upon the repayre of the *Scottiſhe* Commyſſioners on bothe partes, the Quene's Majeſtie's Commyſſioners thowght good, in the preſence of them bothe, ſolempnely to make their othe for their ſinceare proceadinge in this treatie, which was myni-

ſtred

ſtred to them accordingly by the Deane of *Yorke*. And ſo the Commyſſioners on the parte of the Prince of *Scotland* did in like, ſolempnely, in preſence of their adverſe partie, make their othe to the effect of their true dealinge in this cauſe. The Commyſſioners on the parte of the Prince of *Scottes*, when the ſame othe ſhould be myniſtred unto them, miſliked of the preamble thereof, and therefore required they might therein alter as they thowght good, and ſo would the next daye bringe in the forme of their othe drawen, nothing differinge in the effecte, but only in the preamble.

NUMB. XXX.

A Letter to Queen Elizabeth *from her Commiſſioners at* York *the 6th of* October 1568.

An Original. *Cot. lib. Cal. C.* 1. *fol.* 174.

PLEASE it your excellent Majeſtie to underſtand, that on *Sonday* night we arived here, and the night before came hither the Quene of *Scots* Commiſſioners, whoſe names are conteyned in a ſchedule here incloſed; and before our entry into this city, they mette us two or three miles out of the ſame to ſalute us.

The Earles of *Murray* and *Morton*, and the other Commiſſioners on that ſyde, whoſe names alſo are conteyned in the ſaid ſchedule arrived here not paſt an hour before our coming hither; and on *Monday* in the morning they came to the lodging of the Duke of *Norfolk*, where we ſaluted and welcomed them, uſing none other ſpeeche at that time, but friendlye talke of ſundrie matters at large. In the afternoon of the ſame day, becauſe we wold looſe no tyme, we called unto us the ſaid Quene of *Scots* Commyſſioners, and, according to our inſtructions, declared unto them the tenor of our commyſſion, and alſo did reade the ſame unto theme, requiring the ſight of theirs in likewiſe. But when they

they perceived our commyſſion to be ſo ample, and knowing the tenuitie and ſlenderneſs of their owne, they pawſed upon the ſhewing of it, as thowgh they weare loathe it ſhould be ſene, alledginge that it wanted good form of making, by reaſon that the Quene their miſtreſs being in *England*, and they having had but little time of conference with her, neyther had leyſure, ne yet any expert or learned man, to deviſe thair commyſſion in ſuch forme as it were mete: We nevertheleſs, ſomewhat preſſing theme in ſuch ſorte as we thought good, at laſt thay produced a commyſſion written in paper, ſubſcribed by the Quene of *Scotts* hand, and ſealed with her ſignet, which the Biſhop of *Roſs* did read unto us: The commyſſion being very brief, did not only reſtrain the Commyſſioners by ſpeciall words, to treate and agree upon any thing that might touch the ſaid Quene in her eſtate and honour; but alſo, did bynd them to go no further than thay were limyted by certaine private articles and inſtructions, whereunto their commyſſion had relation: but what thoſe articles and inſtructions do conteyne, we know not; ſo as in our opinions they be ſo reſtrained, that whatſoever we ſhould agree upon, the ſaid Quene might alwayes make exceptions to the ſame, and ſay, it touched her in honour. Nevertheleſs, we ſeemed not to find any great fault therewith, but required them to deliver us a copie of their commyſſion, to the intent we might conſider of the ſame, and they likewiſe ſhould have a copie of ours, whereunto they agreed. And yet, perceiveing that we found their commyſſion not to be ſo ample, as were expedient for the treaty of ſo great a cauſe, they themſelfs ſeemed to find ſome fault with it, and begane to excuſe the ſame again, in ſorte as they did before, deſiring that the want of ample commyſſion might be no cauſe of hindrance of the treatie of their cauſe; but that it might pleaſe us to proceade, and they wold furthwith procure a new commyſſion of more large and ample power. And ſo we brake off for that time, and afterwards ſent them a copie of our commyſſion, requireing a copie of theirs, according to our Agreement. But they ſent word againe, that they wold furthwith diſpatch a

poſt to *Bolton* for a new commyſſion, whereof we ſhould have a copie as ſoon as it came to their hands. But of the other we can hitherto get no copie, though we ſent againe, and deſired to have it accordinge to their promyſe, beinge loothe, as it ſeemeth, that your Majeſtie ſhould ſee how little truſt and authoritie their Miſtris hath committed unto them in this behalfe. This begynning is ſomewhat hard, your Majeſtie may judge what is to be looked for of the ſequele of the ſame. Yeſterdaye in the morninge, the Earls of *Murray* and *Morton*, and the other Commyſſioners on that ſide, repaired unto us, with whom we did deal in like manner, ſhewing unto them the effect of our ſaid commyſſion, and requiring to ſee and underſtand the like of theirs; whereunto the Earl of *Murray* anſwered, that at their laſt parliament, when it was thought he might not conveniently repaire himſelfe into *England*, certen Noblemen and others were appointed to come in this commyſſion, and ſhould have bene ſufficiently authoriſed by commyſſion under the Great Seale of *Scotland* for that purpoſe. But ſithens that time, being determined to come himſelfe, it was not thought neidfull to have any other commyſſion, for that by virtue of his office, as Regent, he had ſufficient authoritie to treate and conclude upon all things which ſhould be moved in this treatie, promyſing unto us that, whatſoever ſhould be agreed upon, he would put the Great Seale of *Scotland* unto it. And nevertheleſs, after ſome talke amonge us, when he and the reſt perceived that we were not ſatisfied therewith, they offered, and have promiſed, to exhibit unto us ample commyſſion, under the Great Seale of *Scotland*, to authorize them to proceade with us, wherewith we ſound our ſelves contented. And as we perceive be their talke at large, they meane to make it evident unto us, that whatſoever they have done againſt the ſaid Quene, they have proceaded therein upon good grounds, ſuche as ſome of theme, as the Earle of *Murray* and the Lord of *Lethington* do ſaye, they are moſt ſorré that it is now come to that pointe, that they muſt needes declare and make manifeſt to the world, or elſe be accounted notorious rebelles and diſloyal ſubjects. Upon this

this talke we thought it not amysse to move them to take an othe before we should enter into the treatie of this action, to procede sincerely in the same, using such perswasions to induce them thereunto, as are geaven unto us by your Majestie in our instructions; whereunto we found them right willing and agreeable. And so we ended our conference, and went togeather to the church, where we heard a good sermon, preached by the Dean of *York*. This morning we had another conference with the Commyssioners of the said Quene, which shewed unto us a new commyssion, the copie whereof your Majestie shall receive herewith. Upon the sight and hearing whereof did grow some questions among us, not only for that the preamble of the same did importe, that your Majestie had taken upon you to restore the said Quene to her realme and authoritie; but also for that by the same commyssion power is geaven to the Commyssioners to treate upon all things, which may tend to the reduction of her subjects unto her obedience, and not upon the causes which have moved these controversies and troubles in *Scotland*. Whereunto we said, that we knew very well, that your Majestie had a great desyre to releave the said Quene their Mistriss, and indede wold do as much for her as your Majestie's honour, and the justness of her cause wolde permitte, wishinge that their commyssion had been as ample as ours in all points. And yet considering, that the causes of the said controversies must needs come in question in this treatie, we seemed neither to allowe, nor disallowe of their said commyssion, but to take it as it is, untill we may know further of your gracious pleasure; the rather for that they confessed that it is good reason, that the causes of the said controversies should be heard on both sides, and that it was not meant otherwise; and if their commyssion wanted any good forme, they would also procure to have it amended. Then we moved them to take an othe for their sincere proceedings in this treaty, like as before we did with the Commyssioners on the other side, wherein we found them to make a great staye and difficultie. And indede they were very loathe to hear of it, specially the Lord *Herrys*, who in his discourse

ſeemed to be content to promiſe by oath to propound or ſay nothing, but that is juſt and true; but in no ways to ſay all in this matter, which he knoweth to be true *. In the end, after ſuch perſwaſions uſed to induce them thereunto, as your Majeſtie hath delivered unto us by your inſtructions, they deſired that they might pawſe upon it a little while, and then they wold make us an anſwer; whereby we judge that they will be content to receive ſuch an oath as themſelfs will devyſe, though not the ſame that the Commyſſioners on the other ſide have agreed upon. And then conſenting to geave them reſpite, to thinke and conſider of it, accordinge to their deſire, we ended our conference, and they departed to their lodgings; and ſone after they were departed, the Earle of *Murray*, and others the Commyſſioners on that ſide, ſent unto us their commyſſion under the Great Seale of *Scotland*, the copie whereof we ſend to your Majeſtie herewith.

When we had written thus far, the Earle of *Murray* and his colleagues, and alſo the Commyſſioners of the other parte, came to us at one inſtant, being ſo deviſed and appointed by us; and at their coming we, in their preſence, cauſed the Deane of *Yorke* to miniſter an oath unto us, in ſorte as your Majeſtie ſhall perceave by the copy of the ſame ſent herewith; and then, becauſe the Quene of *Scots* Commyſſioners were not reſolved upon the forme of the oathe which they intended to receive, we thoght not good to offer it unto theme in the preſence of the others, hopeing, as they have promiſed, that they will receive it to-morrowe. The Commyſſioners on the other ſide did not ſtick, in the preſence of the adverſe party, ſolempnely and willingly to receive ſuch an oathe miniſtred unto them by the ſaid Deane, as your Majeſtie ſhall perceive alſo by the copy of the ſame ſent herewith. And when the other Commyſſioners have taken their oath, we will alſo ſend your Majeſtie a copie of the ſame.

Thus

* *Viz.* He, in expectation of ſome good agreement, was willing to decline the accuſation of *Murray*, *Morton*, &c. as the murderers of *Henry Darnley*.

Thus far have we proceaded in the execution of our commyſſion, and as we ſhall do further, we ſhall not fail to advertiſe from time to time, as the cauſe ſhall require: Beſeeching Almighty God to preſerve your Royal Majeſtie in long life and godd health, moſt prouſperouſly and felicioufly to reigne over us the yeares of *Neſtor*. From your Highneſs citie of *Yorke*, the 6th of *October*, *Anno* 1568.

Your Majeſtie's moſt humble,
faithfull and obedient ſubjects,
T. NORFOLKE.
T. SUSSEX.
R. SADLER.

NUMB. XXXI.

A Letter from the Duke of Norfolk *to Secretary* Cecil *from* York, *the 6th of* October 1568.

Paper-office. An original in the Duke's hand.

ALTHOWGH we be longe ere we diſpatche, yeat I hope you ſchall fynde, that we have not bene ydle. I leave the reporte of our doyngs to her Majeſtye's letter, onlye thus muche to your ſelfe I wyll writte, that in my opinion the matter, I feare, wyll falle owte verye fowle, yff all be true that they heare ſtedfaſtlye affyrme. Yt importis the Quene's Majeſtye verye muche to kepe the Duke ther ſtyll tyll thys meting be paſt, yf not longer: We that ſarve in thys ſarvys have but harde luke, for we are countyed partyall of bothe ſydes, before we cume to the matter; they conſteir of us accordyng to their owne affectyons. Everye daye nowe wyll brede newe matter, and therfor you ſchall the oftner hereafter heare from us. And ſo, good Mr. Secretarye, for thys tyme I bide you moſt hartilye farewell. From *Yorke* thys 6th of *October* 1568.

Your moſt beholding,
T. NORFOLKE.

NUMB.

NUMB. XXXII.

Commiſſion by MARY *Quene of* Scots *to the Biſhop of* Roſs *and others, to be her Commiſſioners to conveen with the Quene of* England's *Commiſſioners.*

A Copy. *Cotton. lib. Cal. C.* 1. *fol.* 193.

MARIE, be the grace of God, Quene of *Scottis*, and dowarier of *Fraunce*. To all and ſundrie perſounis to quhais knawledge thir preſentis ſhall come, greatinge in God everlaſting: Forſameikill as it hath pleaſit the richt high, richt mighty, and richt excellent Princes, the Quene's Majeſtie of *Ingland*, our moſt derreſt ſiſter and couſignes, to take upon her the reſtoring of us to our Realme and authoritie, fra the quhilk we have bein maiſt unjuſtlie exylit be certane our diſobedient and rebellious ſubjectis; and, for the knawledge and ordering hereof, hes appointit an richt nobill and mighty Prince *Thomas* Duke of *Northfolk*, Erle Marſhall of the realme of *Ingland*, *Thomas* Erle of *Suſſex*, Vicount *Fitzwater*, Lord *Egremont* and *Bernewell*, Preſident of the counſall eſtabliſht in the north, and Sir *Raphe Sadler*, Knight, Chancellar of the ducherie of *Lancaſter*: Therefoir we, for the furth ſettinge of the glorie of God, and treaties of peax to be made amangis us, our realme and ſubjects, for ever to continew, for declaratioun of our part herein, and all other thingis, quhilk ſall appertene to the weall of baith the realmis, hes maid, conſtitute, nominate and ordanit; likeas, be thir preſentis, conſtitutis, nominatis and ordanis, our richt truſtie and lovit counſalouris, ane reverend fader in God *John* Biſhop of *Roſs*, *William* Lord *Levingſtoun*, *Robert* Lord *Boyd*, *John* Lord *Herys*, *Gavin* Commendator of *Kilwynning*, *John Gordon* of *Lochinvar*, and *James Cockburn* of *Skirling*, Knightis, our verie undoutit and lawful Commiſſionaris: To quhom, or ony four of thame, we have gevin, and by thir preſentis gevis our full autho-

authoritie and powar to convene with our ſaid derreſt ſiſter's Commiſſionaris in the citie of *Yorke*, the laſt day of *September* inſtant, or any uther day or dayis, or place within the realme of *Ingland*, and there to treat, conclude, and indent upon all ſic heidis and articlis, as ſhall be found till our ſaid derreſt ſiſteris Commiſſionaris and thame beſt, for the furth ſetting of the glorie of God, the reductioun of our ſaid diſobedient ſubjectis, to their detfull obedience of us, and for good amitie, als well for bygones as to come, betwixt thame and all our obedient ſubjectis; and farther, to traite upon the ſaide peax to be maid betwix our ſaid derreſt ſiſter and us, our realmes and ſubjectis, and all uther thingis pertening to the weill of the ſamen: And quhat they agree upon in our name, we promiſe, upon the word of a Prince, ferme and ſtabill to hald, ratefie, and appruif the ſamen, inviolablie to be obſervit in all tymes cuming. In witneſs of the quhilkis, to thir preſentis, ſubſcrivit with our hand, our ſignet is affixt. At *Bowton*, the penult day of *September*, the Year of God MD. thré ſcoir aught zeiris, and of our reign the xxvi. zeir.

NUMB. XXXIII.

Commiſſion by the young King of Scotland *to the Earl of* Murray *and others, to meet with the Commiſſioners of the Queen of* England.

A Copy. *Cotton. lib. Cal. C.* 1. *fol.* 174.

JAMES, be the grace of God, King of *Scottis*, To all and ſindrie perſounis, to quhais knawledge thir our lettres ſall cum, greiting: Witt ye us, for divers greit and wechty conſideratiounis moving us, and upon the guid pruif that we have of the fidelitie, wiſdom, and tendernes to us, of our richt truſtie, and richt weil belovit uncle *James* Erle of *Murray*, Lord *Abirnethy*, *&c.* regent of our realme and liegis, and of our richt truſty, and weil belovit couſing *James* Earl

Earl of *Morton*, Lord of *Dalkeith*, our Chancellar: And of our richt truſty counſellouris, *Adam* Biſhop of *Orknay*, *Robert* Commendatar of *Dunfermling*, and *Patrik* Lord *Lindeſay* of the *Byris*; to have made, conſtitut and ordanit, and be thir preſent lettres makis, conſtitutis and ordanis thame, and ony three of thame, our Commiſſionaris, and ſpecial deputis; gevand, grantand, and committand to thame, or ony three of thame, full powar, auctorité, and expreſs charge, to convene with the Commiſſionaris and deputis of our derreſt ſiſter the Quene of *England*, at the citie of *York*, or ony other place or placis, they ſhall think convenient; and there to make plane and ample declaratioun to thame, for information of our ſaid gude ſiſter, of the verie and trew cauſis quhairupon divers of our Nobilitie, and gude ſubjectis, during the time that the Quene, our moder, was zit in poſſeſſioun of the crown of this our realme, tuke occaſioun to put on armis, quhairupon followit the deteyninge and ſequeſtration of hir perſoun for a time; with all cauſis, actiounis, circumſtancis, and uther thair procedingis quhatſumever towards her, or ony ſubject of our realme of *Scotland*, ſen that tyme, to the day and date hereof, or that herefter ſal fall out, unto the return of our ſaidis Commiſſionaris; quhairby the juſtice of thair cauſe and honourabill dealing, may be manifeſtit to the warld. And thairupon, with the Commiſſionaris of our ſaid derreſt ſiſter, to commune, treat, determine and conclude: As alſo for us, and in our name, and upon our behalf, to commune, treate, and conclude with our ſaid ſiſter, or hir Commiſſionaris having ſufficient auctoritie, upon all differencis, cauſis or materis quhatſumever, depending betwix the ſubjectis of ayther thir realmes; or for furder confirmatioun or augmentatioun of ony treatie of peace heretofoir maid and concludit betwix the realmes of *Scotland* and *Ingland*; or for contracting and perfecting of ony uther new treatie or confederatioun, als well for the maintenance of the trew religioun publictlie profeſſit by the inhabitantis of baith the realmes, and reſiſting of ony foraine powar, or that might be ſtirred up be ſecret enemies within the ſamin, going about to diſturb the preſent quietneſs that it has

pleiſit

pleiſit the Almightie God to grant unto both the realmes, in the unitie of the ſaid religioun; as alſo for increaſe of amitie, peace, and concord betwix our ſaid ſiſter and us, our realmes, dominiounis, pepill and ſubjectis: and generally to do and conclude all and ſindrie things which to thame, or ony three of thame, ſhall ſeme convenient and neceſſarie for the premiſſis or ony part thairof, or that we our ſelf might do, gif we wer preſent in proper perſoun; promiſing, upon the faith and word of a King, to hald firm and ſtabill all and quhatſumever thingis, which thay in our name ſhall conclude or agrie upon. In witneſs quhairof, to thir preſents, ſubſcrivit with the hand of our ſaid maiſt derreſt uncle and Regent aforſaid, we have cauſit our Greit Seill to be appendit. At *Edinburgh*, the xviii. day of *September*, in the zeir of God an thouſand fyve hundreth thrè ſcoir and eight, and of our regne the ſecund zeir.

NUMB. XXXIV.

The form of an oath for the Queen of England's *Commiſſioners.* Ibid.

YOU ſhall ſwear, That whereas many great cauſes and actions are depending in queſtion and controverſie betwene the Queene of *Scotts* and the younge Prince her ſonne, whether he be named or entitled Kinge, or Prince of *Scotland*, and others of the Nobilitie of *Scotland*, adherents and partakers on both partyes, the Hearinge and determination of which controverſies is, by the aſſent of both the ſaid parties, committed to the Quene's Majeſtie, our moſt gracious Sovereigne, who, by her letters of commiſſion under her Great Seale, hath, upon ſpeciall truſt of your faithfulneſs, truthe, and good indifference, authorized and deputed you to be one of her Commiſſioners in that behalf; ye ſhall therefore procede in the treatie of the ſaid cauſes ſincerely and uprightly, and that ye ſhall not for affection, malice, or any other worldly reſpect, leane or adhere

here to the one partie, or the other, more than reaſon, equitye, and truthe will beare; ne yet furder or advance any thing in this treatye, otherwiſe than your own conſcience afore God ſhall beare you witneſs to be honeſt, godly, reaſonable, juſt and true. So helpe you God and the holy Evangelies.

NUMB. XXXV.

The form of an oath for the Commiſſioners of the King of Scotland, *as they call him.* Ibid. fol. 175.

YE ſhall ſwear, that whereas, for information of the Quene's Majeſtie of *England*, ye have to make a plaine and ample declaration of the verie and trew cauſes, whereby ye and others of the Nobilitie of *Scotland* toke occaſion to put on armes, whereupon followed the ſequeſtration for a time of the perſon of the Kinge your Sovereigne's mother, being at that tyme your Quene, with all other your proceedinges whatſoever towards her ſithens that tyme, whereby ye intend to induce the Quene's Majeſtie of *England*, to think well and allow of your doinges; the hearinge whereof her Majeſtie, by her lettres of commiſſion under her Great Seale, hath, upon ſpeciall truſt and confidence, which her Majeſtie hathe repoſed in her faithfull counſellors the Duke of *Northfolke*, the Erle of *Suſſex*, and Sir *Raffe Sadler*, Knight, for their truth and indifferencie committed unto them, as her Commyſſioners and deputies in that behalf: And ſeing ye have commiſſion to treat, commune, determine, and conclude with her Majeſtie's ſaid Commiſſioners, upon the premiſſes, ye ſhall in all your treaties and conferences with them procede ſincerely and uprightly; and that ye ſhall not for any affection, malice, or any other worldlie reſpect furder, avance or preferr any thing or matter before the ſaid Commiſſioners in this treatie, otherwiſe than your own conſciences ſhall beare you witnes afore God, to be honeſt, godlie, reaſonable, juſt and true. Nor yet ſhall ye with-

withdraw, hide, or conceale anie thing or matter from the ſaid Commiſſioners, which is mete and requiſite to be opened and declared for the better knowledge of the truth of the ſaide cauſes in controverſie. So help you God, &c.

NUMB. XXXVI.

The fourth Seſſion holden the ſeventh day of October.

From the Duke of *Norfolk*'s book of entries.

THIS daye in the morninge, after that the Quene of *Scottes* Commyſſioners had delivered in their othe, and the ſame peruſed by the Quene's Majeſtie's Commyſſioners, it was miniſtred unto them by the Dean of *Yorke*, they before making this proteſtation above written. Then the Quene's Majeſtie's Commyſſioners declared unto them, that theis things being thus done, they weare now to enter to the effect of the matteir, and therefore required of them to be inſtructed by them in the cauſes of the controverſies. Whereupon bothe the Byſhoppe of *Roſs* firſt, and the Lorde *Herryes* after, opened by ſpeciall worde of mowthe, aſwell the great injuries, wrongs, and damages inferred to the Quene their miſtreſs, as alſo againſt divers her Nobilitie, Prelacie, and other her lovinge ſubjects: And for as much as the Quene their miſtreſs ſeekes to be relieved, (they ſaide) by the Quene's Majeſtie of *England*, if the adverſe partie have owght to charge them withall, the ſame muſt be browght in by them. In end they agreed, that touchinge the wrongs, whereupon grew theis great differences betwene the Quene their miſtreſs and her ſubjects, they wolde in the afternoone exhibite the ſame in writing to the Quene's Majeſtie's Commyſſioners.

In the afternoone they brought in their proteſtation, drawn in forme as it is above entred, and required reſpite for their their booke till the next daye, for that they wanted time to finiſhe it.

NUMB. XXXVII.

The proteſtation made by the Quene of Scotts *Commiſſioners, the ſeventh of* October 1568.

A copy. *Cott. lib. Cal. C.* 1. *fol.* 183.

THE Commiſſionaris for the Quenis Majeſtie of *Scotland* declarit, in preſence of the Quenis Highnes Commiſſionaris of *Ingland*, before the geving of their oath: That although the Quenis Majeſtie thair Soveraigne be beſt contentit, that hir cauſis, preſently dependand betwixt hir and hir diſobedient ſubjectis, be conſiderit and dreſt be her derreſt ſiſter and couſin the Quenis Majeſtie of *Ingland*, or her Grace's Commyſſionaris authoriſit thereto, befoir all utheris; zit they proteſtit ſolemnitlie, that thairby they intend on na wayis, that the Quenis Majeſtie their Soveraigne ſhould recognize herſelf to be ſubject to ony judge on eird, in reſpect ſhe is ane fré Princes, having imperial crown gevin hir of God, and acknowledgis no uther ſuperiour. And therefoir that hir Grace, nor her poſteritie, be not prejudgit in their Soveraigntie in no wayis heirby.

NUMB. XXXVIII.

The proteſtation made by the Queen of England's *Commiſſioners in anſwer thereunto.*

A copy. *Ibid.*

THE Quene's Majeſtie's Commiſſioners, after the ſaid proteſtation made by the Quene of *Scots* Commiſſioners, did proteſt againe, That they neither did, ne wolde admitte nor allowe the ſame to be in any wiſe hurtfull or prejudiciall to the right, title, and intereſt incident to the crowne

crowne of *England*, which the Quene's Majeſtie, and all her noble progenitors Kinges of this realme, have claymed, had, and enjoyed as ſuperiors over the realme of *Scotland*. And the ſame ſuperioritie they proteſt to belong and appertaine to the Quene's Majeſtie, in the right of her crown of *England*.

NUMB. XXXIX.

The form of the oath for the Commiſſioners of the Queen of Scotland.

YE ſhall ſwear, that quhairas for informatioun of the Quenis Majeſtie of *Ingland*, ye are to make a plane and ample declaration of the verie and true cauſis, quhairby ye, and others of the Nobilitie of *Scotland*, tuk occaſion to put on armis for maintaining of the Quenis Majeſtie, your Soveraigne, in hir auctoritie, quhairintil ſhe is eſtabliſhed be God, and all other your procedingis in this cauſe and difference, ſtanding betwix your ſaid Soveraigne and ane part of her ſubjectis, quhairby ye intend to induce the Quenis Majeſtie of *Ingland* to think weill and allow of your Soveraigne and your doings; the hearing quhairof hir Majeſtie, be hir lettres of commiſſioun under hir Greit Seill, hath, upon ſpeciall truſt and confidence which hir Majeſtie hath repoſit in her faithfull counſellors the Duke of *Northfolk*, the Erle of *Suſſex*, and Sir *Raphe Sadler*, Knight, for thair trewth and indifference, committit to thame, as hir lauchful Commiſſionaris and deputis in that behalf: And ſeing ye have commiſſioun to treate, commune, determine, and conclude with her Majeſtie's ſaid Commiſſionaris, upon the premiſſis, ye ſhall, in all your treaties and conferences with thame, procede ſincerely and uprightlie; and that ye ſhall not, for ony affectioun, malice, or ony uther warldlie reſpect, furder, avance or prefer ony thing or mater befoir the ſaid Commiſſionaris in this treatie, utherwayis than your awin conſciences ſhall bear you witneſs afoir God, to be

honeſt,

honeſt, godlie, reſonabill, juſt and true; nor zit ſhall ye withdraw, hyde, or conceale onie thing or mater from the ſaid Commiſſionaris, which is mete and requiſite to be openit and declarit, for the better knowledge of the trewth of the ſaid cauſis in controverſie. So help yow God, and the holie Evangelis.

NUMB. XL.

The fifth Seſſion holden the eighth daye of October, *both in the morning and afternoon.*

From the Duke of *Norfolk*'s book of entries.

IN the morninge the Commyſſioners of the Quene of *Scottes* browght in their booke, conteyninge ſondrie wrongs and injuries by them alledged to have byne done againſt the Quene their miſtreſs and her ſuperioritie. Which when the Quene's Majeſtie's Commyſſioners had received and peruſed, they required of them to ſubſcribe their names to the ſaid booke, if they wolde have them to require the like at the others handes; which they did accordingly, and the copy thereof hereafter followeth. *Vid. infra, Numb.* xli. *pag.* 128.

In the afternoone came the Commyſſioners for the Kinge of *Scotes*. The Regent declared, that wheare he had received from the Quene's Majeſtie's Commyſſioners a note of certen wrongs and injuries wherewith their adverſe parte do ſeme to burden them, bothe he and the reſt of the Commyſſioners joyned with hym are deſirous to underſtand, that if in this action they ſhall prove all things directly, wherewith they maye and do burden the Quene their Sovereigne's mother, how they maye be aſſured to be free and without daunger of the ſaid Quene's diſpleaſure; and what ſuretie maye be had for the yonge Prince theire Kinge, if ſhe ſhould be reſtored to her former eſtate. To whome it was ſaide by the Quene's Majeſtie's Commyſſioners, that as in few wordes

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her Highnes had delivered them her pleaſure therein, ſo wolde they in few wordes deliver the ſame unto them: Which was, that indede her Majeſtie's deſire hath always bene from the begynninge, that the ſaid Quene might be fownde free, ſpecially from the crime of her husband's murder; nevertheleſs, if her Majeſtie ſhall fynde to be playnely and manifeſtly ptoved (whereof ſhe wolde be verie ſorie) that the ſaid Quene of *Scottes* was the deviſor and procurer of that murder, or otherwiſe was giltie thereof, ſurely her Majeſtie wolde thinke her unworthy of a kingdome, and wolde not ſtaine her owne conſcience in mayntenance of ſuche a deteſtable wickedneſs by reſtoring her to a kingdome. Then the Regent opened the cauſe why he moved this queſtion, declaring that it was not only put out and publiſhed in *Scotland*, but even now in this citie, that either ſhe ſhould be amplie reſtored, or otherwiſe by ſome degrees reſtored, and ſent home amongs them; and do not let to ſaye, that they have the Quene's Majeſtie's promes to ſhew in writinge to confirme the ſame. It was anſwered thereunto, by the Quene's Majeſtie's Commyſſioners, that it weare by them to be conſidered from whence thoſe wordes came: If from their adverſe partie, who can let them ſpeak what themſelves will deviſe? But ſurely either from her Majeſtie, or any by her Commyſſioners, they could not affirme the ſame. For when their lettres, conteyninge the doubt before by them moved, weare delivered to the Quene's Majeſtie's handes, they knew that immediatly her Highnes did forthwith depeche her anſwer thereunto, in ſorte as (if nothinge had byn now ſpoken by us, her Grace's Commyſſioners) it might have ſatisfied that doubt and queſtion. Herewith they ſemed not to be fully ſatisfied, ſuſpecting, that althowghe the Quene of *Scottes* were not amplye reſtored, yet ſhe might peradventure be relieved by ſome degrees by the Quene's Majeſtie, which might brede unto them no little danger: Nevertheleſſe they promiſſed to bringe in the nexte daie their anſwer to the complaint of their adverſe partie.

NUMB. XLI.

Complaint by the Queen of Scots *Commiſſioners, exhibited at* York *to the Queen of* England's *Commiſſioners, againſt the Earls of* Murray, Morton *and others.*

An Original. *Cotton. lib. Cal. C.* 1. *fol.* 197.

WE the Commiſſionaris appoyntit for the Quenis Majeſtie of *Scotland*, our Soveraigne Lady, in hir Hienes behaulfe ſchawis to your Grace, and my Lordis Commiſſionaris for the Quenis Majeſtie of *Ingland*, That *James* Erle of *Mortoun*, *John* Erle of *Mar*, *Alexander* Erle of *Glencairne*, the Lordis *Home*, *Lyndſay*, *Ruthven*, *Sempile*, *Cathcart*, *Uchiltrie*, with utheris thair aſſiſtaris aſſemblit in armis ane greyte part of the Quenis Grace's ſubjectis, declarit be thair proclamationis it was for her Grace's relief, ome befett ye gait in hir paſſage betwixt hir Grace's caſtellis of *Dunbar* and *Edinburgh*, thair tuik hir maiſt noble perſoun, committit hir in ward in her awin place of *Lochlevin*; efter intromettit with her counzie-houſe, preſſing irins, gold, ſilver, cunzeit and oncunzeit, paſſit to the caſtle of *Striveling*, and maid thair faſhoun of crowning of hir ſone the Prince, being than bot of threttene monethis awld.

James Erle of *Murray* tuik upon him the name of the Regent, uſurpand thairby the ſupreme autoritie of that realme, in the name of that infant, intromettit with the haill ſtrenthis, munitiounis, jewellis, and patrimonie of the crowne, alſweill propertie as caſualitie: And, when it pleſit Almychtie God, of his gryte mercy, to releive hir Grace out of the ſtrait thraldome quhair ſcho was detenit elevin monethis, ſo hardlie that nane of her trew ſubjectis mycht have frie acceſſe to ſpeik hir, hir Hienes maid in *Hammyltoune* oppin declaracioun, that hir former conſtranit writingis in priſoun was altogidder aganis hir will, and done for feir of hir lyfe, affirmit the ſame be an ſolemnit aithe; zit for

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the godly zeile and natural affectioun hir Grace buir till hir realme and native ſubjectis, gaif powar to the Erlis of *Argile*, *Eglintown*, *Caſſilis* and *Rothes*, to agrie and confirme ane pacificatioun with the utheris Erlis, and thair partakeris and aſſiſtaris, paſſing to *Dumbartane*, left the hieway for avoyding of troublis: The ſaidis Erlis of *Murray*, *Mortoune*, *Glencarne* and *Mar*, with thair adherentis and partakeris, ombeſett hir paſſage, and be thair men of weir, quhilk they had wagit upon hir Grace's awin ſilver, overthrew her powar, ſlew ſundrie richt honeſt and trew men, tuik utheris priſoneris and ranſomit thame, condamnit to the deith, under the coloure of thair pretendit laws, greit landit Baronis and Gentilmen, for na uther cauſe, bot only the ſerving of thair native Soverane. Thir thair unreaſonable and undeutifull procedingis cauſit the Quene our maiſtres cum in this realme, to require of the Quenis Majeſtie, hir moſt derreſt ſiſter, and in blude nerreſt couſignes in the warld, (thair promiſis of luif, frendſhip, and aſſiſtance ſa affectuouſlie affermit) favour and ſupport, that ſcho may enjoy peaciablie her realme, according to Goddis calling; and that thay hir ſubjectis may be cauſit recognoſce thair detfull obedience, reforme to hir Majeſtie and hir obedient ſubjectis, the wrangis thay haif done, as ſall be gevin in ſpeciall; that we and thay may leif under hir Hienes, in our calling, as gude ſubjectis, under that heid that God hes appoyntit us, is hir Majeſtie's and our deſyre.

Produceit the viii. of *October* 1568, be my Lordis Commiſſionaris for the Quene of *Scotland*.

Jo. Rossen.

Levingston.

R. Boyd. Herrys.

Kilwynning. Skirling, *Knt.*

NUMB. XLII.

Articles propoſed by the Earl of *Murray*, to the Commiſſioners of the Queen of *England* at *York*, the ninth of *October* 1568.

INTITULED,

Demands of the Earl of Murray.

An Original. *Cotton. lib. Cal. C.* 1. *fol.* 232.

I. WE deſire to be reſolvit, quhether ye haif commiſſioun, and ſufficient authoritie from the Quene's Majeſtie of *England*, to pronounce in the cauſe of the murther, *giltie* or *not giltie*, according to the merits of the cauſe, and as ye ſall ſé matter deducit before you?

II. Next, havand ſufficient commiſſion, quhether ye meane, and will promiſe us, to pronounce according thairunto immediatly, and without farther delay, the matter being firſt deducit?

III. Your declaratioun being paſt, in caiſe ſhe be found gilty, we deſire to be reſolvit befoirhand, for our ſureties, quhether the Quene our Soveraine's moder ſall be deliverit in our hands? or ſic ordour put to hir perſoun within the realme of *England*, as the King and we ſall be aſſurit to be ſaif fra all dangeris that may enſue upon her liberty in time coming?

IV. In cais ſhe be found giltie, we deſire to be reſolvit, gif your Grace and Lordſhips, upon the Quene's Majeſtie of *England*'s behalfe, will allow our procedingis in time paſt? As alſua her Majeſtie will from this furth mentene the auctoritie of the King our Soverain Lord, and the regiment of his realme, and leigis, eſtabliſht in the perſoun of

me the Erle of *Murray*, during his minoritie, according to the act of parliament paſt in *Scotland* thairupon.

The reſolutioun of theſe articlis is ſa neceſſary for us, and of ſa greit importance, that we can na ways enter to the accuſatioun or tryal of the murther before we be fully anſwerit thairin; and the ſame being directlie anſwerit, we ſall proced immediatly to the tryal.

JAMES, *Regent*.

NUMB. XLIII.

The ſixth Seſſion, holden the 9th of October 1568.

From the Duke of *Norfolk*'s book of entries.

THE Regent, and other the Commyſſioners for the Kinge of *Scottes*, brought in certen articles of demaund to the Quene's Majeſtie's Commyſſioners, wherein they required to be ſatisfied, before their anſweare to the complainte of their adverſe partie. Which after that the Quene's Majeſtie's Commyſſioners had well adviſed of, it was anſwered, that to their two firſt demaundes or articles, they take their commyſſion to be ſo ample, as by the ſame they may well enter and proceade to that controverſie; but yet wolde not preſume of themſelves to judge ſo neare at hand. And for the thirde article, they declared, that if they thowght the Quene's Majeſtie in honor and conſcience maye not deale in the ſame, it weare for their Lordſhips beſt to conſider both of the ſafetie of their yonge Prince, and in what manner the perſon of the Quene their Sovereigne's mother ſhould be uſed: For they neither coulde, nor wolde undertake, how the Quene's Majeſtie will uſe her perſon; and yet durſt well ſaye, that her Highnes wolde not therein otherwiſe do, then in honour and conſcience ſhe ſhould ſee requiſite: Wherein they further ſhewed, that as her Majeſtie wold not thinke her worthie of a kingdome, if ſhe weare convinced of that horrible crime, ſo wolde not

ſeke to reſtore her to a kingdome. Touching the fourth demaunde, the Quene's Majeſtie's Commyſſioners ſaide, that as they weare yet farre from entrie theminto, ſo it weare hard for them before hand to make them anie anſweare, and therefore mynded to take further time to adviſe thereupon. It was then moved by the Lord *Ledington*, that it might pleaſe the Quene's Majeſtie's Commyſſioners to heare their reaſons, whereupon they produced thies doubtes, beinge as they thinke upon good and reaſonable cauſes.

Firſt, For that they ſee no expreſſe wordes in the commyſſion to auctorize her Grace's Commyſſioners to deale in this matteir of the murder.

Secondly, If upon evident and plaine probations produced on their behalf, delaye ſhoulde be made in judgment by the Quene's Majeſtie, they doubt the ſequéale thereof; and therefore it weare better not to be begonne, then begonne and not determined. Whereupon it was anſwered by the Quene's Majeſtie's Commyſſioners, that their Commyſſion extended to deale in all matteirs concerninge theis controverſies: And if the murder of the Quene of *Scottes* husband be a particular mattier conteyned in this controverſie, then have they to deale therein; for that the generall include the ſpeciall. And for the other, which is the feare they have of delaye of judgment, they muſt conſider the cauſe why Princes in all great affaires do deale by commyſſion appointed to others, which only is, for that they can not themſelves be preſent in perſon; and in that reſpect, albeit her Highnes hathe ſubſtituted them, yet the cauſe is hers, and ſhe to geave judgment: And therefore, upon plain declaration of the trouth on both parties, they neade not doubt but her Highnes will geave ſuch order and determination, as beſt ſhall ſtand with equitie of the cauſe, and her Majeſtie's honour. Then the Commyſſioners for the King of *Scottes* moved, that it wolde pleaſe them to advertize the Quene's Majeſtie of theis their doubts; ſpecially for that it ſtandethe them upon, and they thinke it verie reaſonable, that her Grace ſhoulde put them in ſufficient ſuretie to be fré from daunger of the Quene their Sovereigne's mother, before they

they enter to declare againſt her; for if they maye not be reſolved therein, they mynde not to enter, or deale in that matteir.

NUMB. XLIV.

A Letter from the Duke of Norfolk *to Secretary* Cecil *from* York, *the 9th of* October 1568.

Paper-office. *An original in the Duke's hand.*

I THOWGHT good to deſyer Mr. Vyſchamberlyne to beſtowe a daye or too with us, yf hys charge mytt to ſuffer tyme, wherby we mygt be the better inſtructyd what determynatyon that Quene had to proſeade heare with us. We fynde ſuche thyngs heare fall owte but hardlye, as you maye perceave by the letter with the Erle of *Murray*'s demande and the reſte of the Lords, ſente herewith to her Majeſtie: and yeat ſurelie conſyderyng howe neare thys ther actyon ys lyke to fawche them, I cane not blame them thowgh they well foreſee ther ende. Tyll we heare from her Majeſtie, off wyche we cowld wyllynglye deſyer ſume ſpede, we are at a ſtaye, and therin we onlye hope in your good furderance. And ſo with my moſt hartye commendatyons I bede you moſt hartilye farewell. From *Yorke* thys 9th of *October* 1568.

Yours moſt beholdyne,

T. NORFOLKE.

NUMB.

NUMB. XLV.

A Letter to the Queen of England *from her Commiſſioners at* York, *the 9th of* October 1568.

An original. *From the* Paper-office.

PLEASE it your Royall Majeſtie to underſtand, that likeas in our laſt letter of the 6th of this preſent we advertized, that the Quene of *Scottes* Commiſſioners had promiſed to geave their othe for their ſinceare proceadinge in this treaty, ſo they did the nixt morninge repaire unto us, and received ſuch an othe miniſtred unto them by the Deane of *Yorke*, as your Majeſtie ſhall ſee in writinge here incloſed, with proteſtation made before they received their othe, in ſuch ſorte as your Majeſtie ſhall perceive in the ſaid writinge: Whereupon to meete with their proteſtation, we thought goode to proteſt againe immediately, in ſorte as alſo ſhall appeare to your Majeſtie in writinge ſent herewith. And ſo we paſſed over the matteir with them in merry and pleaſaunt ſpeaches not yieldinge to their opinion, nor they to ours, touching the matteir conteyned in our ſaid proteſtation. After they had received their othe, we ſate downe, and when we were pleaced, it was ſaid unto them by me the Duke of *Norfolk*, That ſithens we had proceaded ſo fare, that now we weare ready to enter into the hearinge of this great matteir, we thought it meate to keape this order: That firſt they, beinge the parties plaintiff, ſhoulde, when it liked them, ſhew unto us their complaints and requeaſts. And then their adverſe partie to make anſweare to the ſame: Offerringe all good offices on our pairtes, which may tend to the honour and weale of the Quene their Soveraigne, in ſorte as we weare commaunded by your Majeſtie.

Whereunto the Byſhoppe of *Roſs* anſwered, requiringe to knowe whether we thought it beſt to heare the ſame in ſpeache and communication, or to have it at their handes

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in writinge: And we againe ſaid, that we weare redie to heare their ſpeeche in thoſe matteirs, if they thought ſo good, and alſo to receive it afterwards in writing.

Whereupon the ſaid Lord *Herries* beganne to make ſome diſcourſe of the begynninge of their troubles, how the Quene their miſtreſs evill and diſobedient ſubjects beganne to take armes againſt her, committed her to priſon, depoſed her from her ſeate royall, with many other circumſtances touchinge the ſame, and then deſcended to the declaratioun of other particular injuries done to himſelf and other the Quene's true ſubjects, as he termed them. After him the Byſhoppe of *Roſs* briefly and pithily repeating ſome parte thereof confirmed the ſame: And when they had ſaid all that they woulde, whereunto we give them good hearinge, we required that they woulde give us the ſame in writinge, to the intent we might not only conſider of it, but alſo conferre thereupon with their adverſe partie, to charge them with it, and to heare what anſweare they coulde make unto the ſame, withinge that they would leave owt all particular matteirs and griefs touching themſelves, and begyne with the principall matteirs touchinge the diſobedient and diſloyall proceadings againſt the Quene their miſtreſs, wherewith they charged their adverſe party; which they agreed unto, and accordingly delivered the ſame to us in writinge the nixt daye after, ſubſcrived with their handes, the coppie whereof we ſend herewith unto your Majeſtie: And after we had received and peruſed the ſame, we thought good to ſend alſo a coppie thereof to the Erle of *Murray*, requyreing that he and his colleagues woulde conſider of the ſame, and prepair themſelves to make anſweare, as ſone as they thought convenient.

Whereupon they deſired to conferr with us before they made their anſweare: And at their repaire unto us, the Erle of *Murray* declaired, that they had conſidered of the complaints exhibited againſt them by their adverſe partie, and albeit they coulde ſo anſweare the ſame, [*ſo as all* *] beinge

* This is taken only from *James Anderſon*'s Collections, who, with his ordinary inaccuracy, has left a chaſm here.

ing well and godly affected, muſt neades confeſs, that in all their actions and doings they had proceaded upon good ground and juſt cauſes; yet before they knew your Majeſtie's pleaſure, they woulde be loothe to proceade ſo far as to charge the kinge their Sovereigne's mother, with ſuche things as hitherto they have beene content rather to hide and conceale, than to publiſh and manifeſt to the worlde to her infamie and diſhonour, in reſpect that ſhe was the Kinge their Sovereigne's mother. Wherefore, if they might be ſo bolde, they wolde gladly require of us, to know your Majeſtie's good pleaſure and intention towards them, how, in caſe they ſhoulde ſo proceade againſt her, and prove all things directly, wherewith they do burden her, they might be free and without daunger of her diſpleaſure; and how the younge Prince, their Kinge might be in ſafety, if ſhe ſhall be reſtored to her former ſtate: In which caſe of her reſtitution, they ſaid, they coulde not comprehende any mean how to live free from her diſpleaſure; ne yet how the yonge King their Sovereigne might be in ſafety. Whereunto we anſwered, that we doubted not but they had well underſtand your Majeſtie's pleaſure, ſignified by your gracious letters unto the ſaid Earl of *Murray* in ſome parte touchinge the reſtoringe of the Quene. And accordinge thereunto, we had alſo to ſaye furder unto them, in few wordes, from your Majeſtie, That as indede your Majeſtie heathe alwayis deſired from the begynninge, that the ſaid Quene might be founde free, ſpecially from the crime of the murder of her husband, ſo neverthelefs, if your Majeſtie ſhall finde it to be plainly and manifeſtly proved, (whereof you woulde be ſorrie) that ſhe was the deviſour and procurer of that murder, or otherwiſe gilty thereof, ſurely your Majeſtie wolde thinke her unworthie of a kingdome, and wolde not touche your ſelfe in honour, ne ſtaine your owne conſciens in mayntenens of ſuche a deteſtable wickedneſs, in reſtoringe her to a kingdome. The ſaid Erle of *Murray* then replied, That becauſe it had bene heretofore given out and publiſhed thoroughout all *Scotland*, and was alſo even now given out in this citie by their adverſe partie, that whatever matteir do

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fall out or be proved againſt the ſaid Quene, your Majeſtie wold nevertheleſs either amplie reſtore her, or otherwiſe by ſome degrees relieve and ſend her home among them; they weare therefore enforced to move this queſtion unto us for their better ſatisfaction; aſſuring us, that their adverſe party did not let to ſaye, that they had your Majeſtie's promiſe to ſhew in writinge to confirm the ſame. It was anſwered thereunto, that we coulde not lett them to ſpeak what themſelves would deviſe; but from your Majeſtie, or from anie other by your commiſſion, we weare aſſured they coulde not affirm the ſame: For when your Majeſtie heard ſo muche before by letters from the Erle of *Murray*, your Highnes did forthewith depeche your anſweare thereunto, in ſorte as he knewe (thowghe we had ſpoken nothinge thereof at this time) was ſufficient to ſatisfy their doubt and queſtion. Herewith they ſemed not to be fully ſatisfied, as thoughe they ſuſpected, that albeit your Majeſtie did not reſtore the ſaid Quene immediately, yet ſome other meanes hereafter might be wrought for her relief or reſtitution by ſome degrees, which might brede unto them no little daunger. Nevertheleſs, they promiſed to bringe us their anſweare to the complainte of their adverſe partie, which we looke to receive at their handes this daye; whereof we will advertize your Majeſtie in our nixt deſpeche.

POSTSCRIPTA.

The Erle of *Murray* and his colleagues repaired unto us, and propounded certaine articles, which your Majeſtie ſhall receive herewith, alleadging, that the weightneſs of the cauſe was ſuche, and touched them ſo neare, that they durſte in no wiſe proceade to the accuſation of the Kinge their Sovereigne's mother in the cauſe of the murder, before they weare reſolved in theis articles, verie earneſtly preſſinge and requiringe us to ſatisfie them in the ſame, and promiſinge, that if they might be ſo ſatisfied, they wolde proceade to the triall. Whereupon havinge read the articles, we withdrew aparte and conſidered of them, and then made this anſweare for the preſent. To the firſt and ſecond articles, re-

quiringe bothe one anſweare, we ſaid, that they had a coppie of our commiſſion, whereby they coulde judge of our auctoritie, and yet we doubted but they being wiſe men wolde conſider, that whatſoever power we had, our deutie to your Majeſtie requireth, that the cauſe beinge thoroughly tried, we wolde, before we pronounce or geave any judgment, advertize your Majeſtie of the ſtate of the whole cauſe, and ſo proceade by your Majeſtie's order and direction. To the third article we ſaid, that they could not with a ſafe conſcience require the delivery of the ſaid Quene into their handes being her enemies; but for the reſt we wolde advertize your Majeſtie of their deſire, whereupon we ſhoulde be able to geave them a reaſonable anſweare. To the fourth we ſaid, that if the Quene of *Scottes* be guiltie of the murder, then furder conſideration is to be had upon the matteir conteyned in that article, which dependithe upon the reſt: Not doubtinge but your Majeſtie wolde therein growe to ſuche conditiouns with them, as they ſhoulde have cauſe to be contented. Thus we anſweared their ſaid articles for the preſent, wherewith we finde them not ſatisfied, and that they are fully reſolved not to charge the ſaid Quene of *Scots* with this murder, untill they may be aſſured of your Majeſtie's intentioun to ayde and mayntaine them in this action, if ſhe be founde guiltie: Whereby we are to ſuſpect, that they be in hope and good comforte, that if they do not proceade to accuſe her of this murder, ne produce the ſame to triall, ſhe may be induced to anie compoſition, and that they ſhall be able to make their owne waye with her and the other Lordes of that partie, at their pleaſure. And on the other ſide, if they ſhoulde proceade to ſuche extreamitie, as to charge her with the ſaid murder, then weare they out of hope of anie good compoſition, and ſo ſhoulde they live alwaies in daunger, if your Majeſtie ſhould faille them; whereof it may pleaſe your Majeſtie to conſider, and to geave us furder inſtruction how to proceade herein, as to your highe wiſdome ſhall be thought convenient. And thus we beſeeche Almightie God, to preſerve your moſt excellent Majeſtie in longe life and good health, moſt felicioufly and proſperouſ-

ſperouſly to reigne over us accordinge to his divine will and pleaſure. From your Majeſtie's city of *Yorke* the ix. of this *Octobre* 1568.

Your Majeſtie's moſt humble,
faithfull and obedient ſubjects,
T. NORFOLKE.
T. SUSSEX.
R. SADLER.

NUMB. XLVI.

The ſeventh Seſſion holden the tenth day of October 1568.

From the Duke of *Norfolk*'s book of entries.

IN the morninge the Erle of *Murray*, and others the Commyſſioners deputed for the Kinge, exhibited to the Quene's Majeſtie's Commyſſioners their bill of anſweare to the complainte geaven in againſt them by the Commyſſioners of the Quene of *Scottes*. The copie whereof is hereunder written, *pag.* 144.

In the afternoone of this daye what was done may appear by the contents of this lettre, the copie whereof enſueth.

NUMB. XLVII.

A Letter to Queen Elizabeth *from her Commiſſioners at* Yorke, *the* xi. *of* October 1568.

An Original. *Cotton. lib. Cal. C.* 1. *fol.* 198.

PLEASE it your moſt excellent Majeſtie to underſtand, that ſithens our laſt deſpeches, the Erle of *Murray* and his colleagues, to occupie the time, have put in their anſweare to the complaynts exhibited by their adverſe partie,

the copie of which anſweare we ſend herewith to yours Majeſtie. And albeit they have in the ſame touched nothing plainlie in the cauſe of the murder, whereupon they ſtaye and ſuſpend thair proceadings, untill they may be reſolved in their articles proponed unto us, which we ſent in our laſt letters to your Majeſtie, yet the ſaid Erle hath been content privatlie to ſhew us ſuch matteir as they have to condempne the Quene of *Scottes* of the murder of her husband, to the intent they wolde know of us, how your Majeſtie, underſtanding the ſame, wolde judge of the ſufficiencie of the matter; and whether, in your Majeſtie's opinion, the ſame will extend to condempne the Quene of *Scottes* of the ſaid murder.

And ſo they ſent unto us the Lord of *Lethingtoun*, *James Makgill*, and Mr. *George Boqwannan*, and an other being a Lord of the Seſſion *, which in private and ſecret conference with us, not as Commyſſioners, as they proteſted, but for our better inſtruction, after declaration of ſuch circumſtances as led and induced to vehement preſumptions to judge her giltie of the ſaid murder, ſhewed unto us a copie of a bond, bearing date the 19th of *Aprill* 1567, to the which the moſt part of the Lords and counſaillors of *Scotland* have put to their hands; and as they ſaye, more for feare, than any lyking they had of the ſame. Which band conteyned two ſpecial points, the one a declaration of *Bothwell*'s purgation of the murder of the Lord *Darnley*, and the other a generall conſent to his marriage with the Quene, ſo far forthe as the lawe and her owne likinge ſhoulde allowe. And yet, in prouſe that they did it not willinglie, they procured a warrant, which was now ſhewed unto us, bearing date the 19th of *Aprill*, ſigned with the Quene's hand, whereby ſhe gave them licence to agree to the ſame, affirming that, before they had ſuch warrant, there was none of them that did, or wolde ſet to their hands, ſaving onlie the Earl of *Huntley*.

There was alſo in the copie of the bande, a copie of a warrant followinge much to that effect, ſavinge that the one did

* *Viz. John Wood*, a creature of *Murray*'s.

did licence to doe, and the other ſeemed to diſcharge and pardone that was done, which bears date the 14th of *Maye*. It appeared alſo, that the ſelfe-ſame daye of the date of this band, being the 19th of *Aprill*, the Earl of *Huntley* was reſtored by parliament: Which parliament was the occaſion that ſo many Lords were there aſſembled, which being all invited to a ſupper by *Bothwell*, were induced after ſupper, more for fear than otherwayes, to ſubſcribe to the ſaid bond, two hundred harkebuſiers being in the court, and abnut the chamber-door wheare they ſupped, which weare all at *Bothwell*'s devotione; which the ſaid Lords ſo muche miſliked, that the next morning by four of the clocke, fewe or none of them weare left in the towne, but departed without taking their leave.

Thear was alſo a contract ſhewed unto us, ſigned with the Quene's hand, and alſo with *Bothwell*'s, bearing date the fifth of *Aprill*, written, as it is ſaid, with the Earl of *Huntley*'s own hand, who, with one *Thomas Hebourne*, weare the only witneſſes to the ſame. Which contract beareth date before *Bothwell*'s purgation of the murder, whereof he was not tried nor pourged before the 12th of *Aprill* followinge, and alſo before the proceſſe of divorce began between *Bothwell* and his wief, which was not begunne before the firſt of *May*, and yet with ſpeede ended within eight dayes, and the ungodlie marriage betweene the Quene and him ſolempnized the 15th of *May* after; and alſo the 15th of *June* following, the Quene her ſelfe was taken by her Nobilitie. The counterfiete and colourable taking of the Quene by *Bothwell*, when he carried her to *Dunbar*, was the 24th of *Aprill* after the death of her husband, who was murdered the 10th of *February* 1567.

There was alſo a contract ſhewed unto us, of the Quene's own hand, of the marriage to be had betweene her and *Bothwell*, bearing no date, which had not *verba de præſenti*, as the other had bearing date the 5th of *Aprill*. It appeared alſo unto us by two letters of her owne hand, that it was by hir own practice and conſent, that *Bothwell* ſhould take her and carry her to *Dunbar*, of pollicie, as the Lord

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of *Lethington* told us, becauſe elſe theare could be no devyſe in lawe to pardon his foul fact of the murder, affirming, that, by the lawes of that realme, a pardon for great offences includeth all leſſer factes and offences, but extendeth to none greater than that which is pardoned; and therefore, except he ſhould commit the higheſt offence, which is treaſon, as he did in laying violent hands upon his Soveraigne, no pardon culd ſerve to excuſe him of the murder; and having his pardon for the treaſon, it ſufficeth alſo for the murder. A ſit pollicie for a deteſtable fact.

After the deviſe of the murder was determined, as it ſeemed by the ſequell, they inferred upon a letter of her own hand, that there was another meane of a more cleanly conveyance deviſed to kill the King; for there was a quarrell made betwixt him and the Lord *Robert* of *Holie-roode-houſe*, by carrying of falſe tales betwixte theme, the Quene being the inſtrument, as they ſayde, to bring it to paſs; which purpoſe, if it had taken effect, as it was very likelie, (for the one geving the lye to the other, they were at daggers drawinge) it had eaſed them of the proſecution of the deveſiſh fact, which, this taking none effect, was afterwards moſt tirannouſly executed.

Afterwards they ſhewed unto us one horrible and long letter of her own hand, as they ſaye, conteyning foule matteir, and abominable to be either thought of, or to be written by a Prince, with diverſe fond ballades of her own hand; which letters, ballades, and other writings before ſpecified, weare cloſed in a little coffer of ſilver and gilte, heretofore geaven by her to *Bothwell*. The ſaid letters and ballades do diſcover ſuch inordinate love betweene her and *Bothwell*, her loothſomeneſs and abhorringe of her husband that was murdered, in ſuch ſorte as everie good and godlie man can not but deteſt and abhorre the ſame.

And theſe men heare do conſtantlie affirme the ſaid letters, and other writings, which they produce of her own hand, to be her own hand indede; and do offer to ſwear and take their oaths thereupon, the matteir conteyned in them being ſuch, as could hardlie be invented or deviſed by

any

any other than by her ſelfe; for that they diſcourſe of ſome things, which weare unknowen to anie other than to herſelf and *Bothwell:* and as it is hard to counterfiete ſo manie, ſo the matter of them, and the manner how theſe men came by them is ſuch as, it ſeemeth, that God, in whoſe ſight murder and bludſhed of the innocent is abhommable, wolde not permit the ſame to be hid or concealed.

In a paper here incloſed we have noted to your Majeſtie the cheife and ſpeciall points of the ſaid letters, written, as they ſay, with her own hand, to the intent it may pleaſe your majeſtie to conſider of them, and ſo to judge whether the ſame be ſufficient to convince her of the deteſtable crime of the murder of her husband, which, in our opinions and conſciences, if the ſaid letters be written with her own hand, is verie hard to be avoided: Moſt humblie beſeaching your Majeſtie, that it may pleaſe the ſame to advertiſe us of your opinion and judgment therein; and to direct us with ſuch ſpead as to your Highneſs ſhall be thought convenient, how we ſhall proceade further in this great mattier. And ſo for the more expedition, ſending this blotted letter to your Majeſtie, (whereof we crave pardon) we beſeche Almightie God to preſerve your moſt excellent Majeſtie in good healthe and long lief, moſt proſperouſly to reigne over us. From your Majeſtie's citie of *York*, the xi. of *October* 1568.

Your Majeſtie's moſt humble,

faithful, and obedient ſubjects,

T. NORFOLKE.

T. SUSSEX.

R. SADLER.

NUMB.

NUMB. XLVIII.

The Anſwer of the Earl of *Murray*, &c. to the beforementioned Complaint and Accuſation,

INTITULED,

The Anſwer of us James *Erle of* Murray, *Regent of the realme of* Scotland, *and remanent Commiſſionaris appointit for the King's Majeſtie of* Scotland, *our Soverain Lord, in his Hienes behalf, and for our ſelfis, and remanent States and pepill, his Majeſtie's faithful and obedient ſubjectis, to the lettre prefentit to your Grace and my Lords Commiſſionaris for the Quene's Majeſtie of* England, *on the behalf of the Quene moder to our Soverane Lord.*

An original. *Cott. libr. Cal. C.* 1. *fol.* 202.

IT is notour to all men, how umquhile King *Henry*, father to our Soverane Lord, was horribly murderit in his Bed. *James*, ſumetime Erle *Bothwell*, being well knawn for chief author thairof, enterit in ſo great credit and authoritie with the Quene, then our Soverane, that, within thré monethis efter the murther of hir husband, the ſaid Erle plainlie enterpriſit to raviſh hir perſoun; and leid hir to *Dunbar* caſtell, haldand hir there as captive a certane ſpace, during quhilk he cauſit divorce be led betwixt him and his lauchfull wyfe, and ſuddanlie, at the end thairof, accompliſit a pretendit marriage betwix him and the Quene. Quhilk ſtrange and haiſtie proceding of that godles and ambicious man, efter murthering of the Quenis husband, in ſic ſort, to atteyne to hir awin marriage, the governament of the realme, and powar over hir ſone our Soverane Lordis per-

perſoun, with the ignominy ſpokin amangis all nations of that murther, as though all the Nobilitie had bene alike culpabill thairof, ſua movit the hartis of a gude nomber of thame, that thay thocht na thing mair godlie, nor mair honorabill in the ſicht of the warld, than, be puniſhing of the ſaid Erle, chief author of the murther, to releive otheris ſaikleſſie calumpniat thairof, to put the Quene to fredome furth of the bondage of that tyran, that preſumptouſlie had enterpriſit to revyſh and marie hir, quhais lauchfull husband he could not be, nather ſhe his lauchfull wyfe: And to preſerve the innocent perſoun of our native Prince furth of the handis of him that murtherit his fader. For quhilk purpos taking armis, the ſaid Erle cume againis us, leading the Quene, then our Soverane, in his company, as a defence and cloik to all his wicketnes, accumpanyit with a greit force that he had brocht to the feild, with greit ordinance, and wagit men of weir: quhair, to decide the querrel, quhilk was onlie intentit aganis him and the remanent knawin murtheraris, without bluidſched of ony innocent man, it wes offerit, at twa ſeverall times, be the Noblemen ſeiking the puniſhment of the murther, to try the matter with him in ſingular battell, according to the law of armis, as he be his cartell of befoir had proclamit. Quhilk being ſchiftit, delayit, and in the end uterlie refuſit be him, he eſcapit be flicht; and the Quene, preferrand his impunity to hir awin honour, wald ſé him conveyit away: And to the end he ſuld not be followit nor perſewit, ſhe come hir ſelf to the Noblemen aſſemblit aganis him, quhilk convoyit hir to *Edinburgh*; and, being thair, informit her of the verie cauſis that had drevin thame to that forme of dealing, humblie requiring that ſho wald be content to ſé the ſaid Erle, and uthers the King hir husbandis murthereris, puniſhit, and that pretendit and uulauchfull marriage, quhairin ſcho was improviſitlie enterit, to be diſſolvit for hir awin honour, the ſaulfgard of hir ſone, and the quietnes of hir realme and ſubjectis. To quhilk na uther anſwere culd be obtenit, bot rigorus minaſſing, on the ane part avowand to be revengit on all thame that had ſchawin thameſelfis in that cauſe, and

on the uther part offerand to leif, and gif over, the realme and all, ſua ſcho micht be ſufferit to poſſes the murtherar of hir husband. Quhilk hir inflexible mynd, and extremitie of neceſſitie compellit thame to ſequeſtrate hir perſoun, for a ſeaſon, fra the company, and having intelligence with the ſaid Erle *Bothwell*, and uthers his ſautouris, quhill further tryal mycht be takin, and executioun maid for the murther. During the quhilk tyme, ſho finding hir ſelf, be lang irkſum and tedious travail takin be hir in the governament of the realme and lieges thairof, ſa vexit and weryit, that hir body, ſprite, and ſenſes wer altogidder unable langer to occupy that realme; and perſaving, be thingis that had paſt before that tyme betwixt hir and hir pepill, that nowther ſho cuid wele allowe of thair doingis, nor thay like of hir faſhiounis; and for uther conſiderationis moving hir for the tyme, thairfoir dimittit and renuncit the office of governament of the realme and lieges thairof, in favouris of hir onlie and maiſt deir ſone the Prince of the ſamin. And, becaus of his tender youth and inability to uſe the ſaid governament in his awin perſoun, during his minoritie, conſtituted me the ſaid Erle of *Murray* (being then abſent furth of the realme, and without my knawledge) Regent to his Grace, the realme and lieges; and quhill my returning, or in caiſe of my deceiſe, or not acceptatioun, maid and conſtitute divers utheris Noblemen, Regentis, as her ſeveral commiſſiounis to that effect, ſubſcrivit with hir hand, and under the Privie Seill, beris; and that voluntarlie, na compulſion, violence, nor force uſit or practiſit to move hir thairto. According to the quhilk hir dimiſſioun and reſignatioun, the King, now our Soverane Lord, was dewlie, richtly, and orderly crownit, inveſtit and poſſeſſit in the kingdome: And I the ſaid Erle of *Murray* lauchfullie placeit, enterit, and admittit to the ſaid office of regentrie. Quhilkis coronation of our ſaid Soverane Lord, and acceptatioun of the ſaid office of regentrie, wer not onlie reſſavit, and univerſallie obeyit over all the haill realme, as lauchfull and ſufficient, evin be the maiſt part of thame that, in thir ſix monethis laſt bypaſt, hes withdrawin thair debtfull obedi-

obedience fra his Grace's authoritie, and interprifit to eſtabliſhe and ſet up ane uther; but als in a lauchfull, fré, and plane parliament, quhairat they were preſent, the ſame coronatioun and acceptatioun of the office of Regentrie, wer be perpetual lawes maid, and publict actis ſett furth, decernit to be lauchfully, ſufficiently, and richtuouſlie done; as alſwa all uther thingis intentit, ſpokin, writtin, or done be thame, or any of thame, to that effect, ſen the tenth day of *Februar* 1566, upon the quhilk day the ſaid umquhile King *Henry*, then the Quenis lauchfull husband, was murtherit, unto the dait of the ſaid act, and in all tyme to cum, tuiching the ſaid Quene, and deteyning of hir perſoun, that cauſe, and all thingis depending thairon; the intromiſſioun or diſponyng upoun hir propertie, caſualities, or quhatſumever thing pertening, or that ony wayis micht pertene to hir; likeas at mair lenth is contenit in the actis, lawis, and conſtitutionis concludit, maid, and ſett furth in the ſaid parliament. Quhilkis actis and lawis with our Soverane Lordis authoritie, and the regiment of me the ſaid Erle of *Murray*, wer univerſallie obeyit over all the realme, but contradictioun; quhill ſum of the Nobilitie and utheris, that in the ſaid parliament be fré votes, and utherwayis be thair hand-writtis, had acknawlegit and avancit the Kingis authority, and regiment eſtabliſhed in his name, impatient to ſé the puir pepill of the realme enjoy quietnes and gud dayis, and diſdainand to ſé juſtice proceid as it was begun, and liklie to have continewit, to the puniſment of mony offendaris over the haill cuntrie, according to the lawes; firſt practizit to bring the ſaid Quene out of *Lochlevin*, contrary to the actis maid in the parliament, and then be open force to deſtroy and ſubvert the publict governament and authoritie of our Soverane Lord eſtabliſhit be the Eſtatis, againſt thair promiſſit obedience and hand-writtis; and for that purpos procedit in all kynd of hoſtilitie, quhill on the 13th day of *May* laſt bypaſt, that God reſpectand the equitie of the cauſe, confoundit thair interpriſe, and grantit the victorie to the King and ſic as conſtantlie continewit in his obedience; zit ſenſyne they have perſeverit in thair rebel-

lioun, abſtractand their debtfull obedience fra our Soverane Lord and his auctoritie, practizing all thingis that mycht ſubvert and overthraw the ſamin, in halding of houſis, proclayming of uther auctoritie, cuming to the feildis in weirlike manner with diſplayit banneris, taking and impreſoning of officiaris of armis and utheris frē perſonis, raiſing of impoſitiouns of burrowis, and, under pretenee of law, ſummoning houſis, baniſhing and rigorouſly perſewing divers the Kingis gude ſubjectis, for na uther cauſe bot onlie the ſerving of the King thair native Soverane Lord.

It is thairfore requirit in his Hienes behalf, that he, and his Regent in his Hienes behalf, may peciabillie injoy and governe his realme, according to God's calling; and that his Majeſtie's diſobedient ſubjectis may be cauſit recognoſce thair debtfull obedience, and quhat the ordour of Juſtice hes ordainit may reſſave full executioun. Proteſting alwayis, that notwithſtanding this our anſwer, we may eik to the ſame, as the occaſioun ſall ſerve, and as the neid may require,

JAMES, *Regent*. MORTOUN.
PATRICK LINDSAY, AD. ORCHAD. DUMFERMLING,

NUMB. XLIX.

Abſtract of matters ſhewed to the Quene's Majeſtie's Commiſſioners by the *Scottes*, ſent the 11th of *October*.

A brief note of the chief and principall poincts of the Quene of Scottes *Lettres written to* Bothaill, *which may tend to her condempnation, for her conſent and procurement of the murder of her husband, as farre forthe as we coulde by the readinge gather* *,

FIRST, the plaine and manifeſt wordes conteyned in the ſaid lettres, declaringe the inordinat and filthie love betwene her and *Bothaill*. Next,

* From a paper indorſed by Secretary *Cecill*.

Next, the like wordes plainely declaringe how ſhe hated and abhorred her ſaid husband.

Then for the declaration of the conſpiracie, and her procurement and conſent to the murder of her ſaid husband, how ſhe toke her journey from *Edenburghe* to *Glaſco*, to viſite him beinge theare ſicke, and purpoſely of intent to bringe him with her to *Edenburghe*.

She wrote to *Bothaill* from *Glaſco*, how ſhe flattered her ſaid husband, to obtaine her purpoſe; and that the Earle of *Lenox* his father, that daye that ſhe was deviſinge to bringe his ſonne to *Edenburghe*, did blede at the Nooſe and mowthe, willing the ſaid *Bothaill* to gheſſe what preſage it was.

She wrote alſo, that ſhe was about a worke that ſhe hated greatly, and that ſhe lied and diſſembled to get creadite with her husband, and to bringe her faſchious purpoſe to paſſe, confeſſing herſelfe therein to do the office of a traitereſſe, which, weare it not to obey *Bothaill*, ſhe had lever be dead then do it, for her harte did blede at it.

Alſo ſhe wrote that ſhe had wonne her husband to goo with her to *Edenburghe*, and to do whatſoever ſhe wolde have him to do, ſayinge, Alas! ſhe never deceaved anie before, remittinge herſelfe altogether to the will and pleaſure of *Bothaill*, wherein ſhe wold obey him, whatſoever come thereof; requyring him to adviſe with himſelf, if he coulde fynde owt anie other ſecreat invention by medicine, for her husband was to take medicine, and the *Bath* alſo at *Cragmiller*.

She biddethe *Bothaill* to burn the lettre, for it was over dangerous to them, and nothinge well ſaid in it, for that ſhe was thinkinge upon nothinge but faſcherie, requyringe him that, ſithens to obey him, her dear love, ſhe ſpared neither honour, conſcience, hazard, nor greatnes whatſoever, he woulde take it in good parte; and that he wold not ſee her, whoſe fained tears ſhoulde not be ſo muche praiſed, as the faithefull travailles which ſhe ſuſteyned to merite her place, for the obteyninge whereof againſt her nature, ſhe betraied him that might impeche it, prayinge God to forgeave her,

and

and to geave unto *Bothaill*, her only love, the happe and prouſperitie which ſhe his humble and faithfull love wiſhithe unto him; hoopinge ſhortely to be another thinge unto him, for the rewarde of her yrkeſome troubles.

Finally, ſhe wrote to *Bothaill*, that accordinge to her commiſſion, ſhe wolde bringe the man with her; prayinge him to worke wiſely, or els the whole burden wolde lye on her ſhoulders; and ſpecially to make good watche, that the bird eſcaped not owt of the Cage.

Examinatur.

NUMB. L.

Notes drawin furth of the Quenis letters ſent to the Erle Bothwell.

From the *Paper-office.*

IMPRIMIS, after lang diſcourſe of hir conference with the King hir husband in *Glaſcow*, ſche wreitis to the ſaid Erle in thir termes: "This is my firſt jurnay, I ſall "end the ſame the morne; I wreite in all thingis, how-"beit they be of littill weycht, to the end that ye may tak "the beſt of all to judge upoun. I am in doing ane wark "heir that I haitte gretlie: Haif ye not deſyr to lauche, to "ſie me lie ſa weill, at the leiſt to diſſemble ſo weill, and "to tell hym the treuth betwix handis."

Item, Schortlie after: "We are coupled with twae fals "racis: The devill ſyndere us, and God mot knit us to-"gidder for ever for the maiſt faithful cupple that ever he "unitit. This is my faith, I will die in it."

Item, Thairefter, "I am not weill at eaſe, and zeit ver-"ray glaid to wreit unto you quhen the reſt are ſlepand, "ſen that I can not ſleip as they do, and as I wald deſyir, "that is in your armis my deir luiſe."

Item, A littill thairefter: "Adverteis me quhat ze haif "deliberat to do in the matter ye knaw upoun this point,

"to

" to the end we may underſtand utheris wele, that nathing " thair throw be ſpilt."

Item, Thus ſche concludis the lettre: " Wareit mocht " this pokiſhe man be, that cauſes me haif ſa meikill pane, " for without hym I wald haif ane far mair pleſant ſubject " to diſcourſe upoun. He is not oer meikle ſpilt, bot he " has gottin verray mekill; he has almaiſt ſlane me with " his braith; it is war nor your uncles, and zeit I cum na " neirar bot ſat in ane cheir at the bed-fute, and he beand " at the uther end thairof."

Item, Thaireſter, " Ye gar me diſſemble ſa far, that I " haif horring thairat, and ze caus me almaiſt do the of- " fice of an trahatores. Remember yow, yf it wer not to " obey yow, I had raither be deid or I did it, my heart " blidis at it. Summa, He will not cum with me, except " upoun conditioun that I ſhall be at bed and bourd with " hym as of befoir, and that I ſall leif him na efter."

Item, Schortlie thaireſter: " Summa, he will gae upoun " my word to all places. Alace, I never diſſavit any bo- " die, bot I remit me altogidder to your will. Send me " advertiſment quhat I ſall do, and, quhatſumever ſall cum " thairof, I ſall obey you; advys tó with yourſelf, yf ye " can fynd out any mair ſecreit inventioun be medecein and " the baith in *Craigmillar*."

Item, " Thairefter, I ſall draw out all thingis out of " hym, gif ye will that I advow all thingis unto hym; bot " I will never rejois to diſſave any bodie that truſtis in me; " zet notwithſtanding ye may command me in all thingis. " Haif no evill opinioun of me for that cauſe, be reaſon ye " ar the occaſioun of it your ſelf, becauſe for my awn par- " ticular revenge I wold not do it to hym.

Item, After, " For certaintie he ſuſpectis that thing ye " know, and of his lyif; bot as to the laſt, how ſone I " ſpeak twae or thrie guid wordis unto hym, he rejois and " is out of doubt."

Item, Schortlie thaireſter, " all the *Hamiltounis* are heir " with me, and accompanies me verry honorably.

Item, Thaireſter, " Be not offendit, for I gif not our " me-

" mekill credyt now, ſence, to obey you, my deir luife, I " ſpare nouther honor, conſcience, nor gretnes quhatſum- " ever, I pray you tak it in guid part, and not after the in- " terpretation of your fals guid-brother, to quhom, I pray " you, gif nae credyns agains the maiſt faythfull luifer that " ever ye had, or ever ſall haif. Sie not hir quhais fenzeit " tearis ſuld not be ſa mekill prayſit, nor eſtemyt, as the " trew and faythfull travaillis, quhilk I ſuſtene to merit hir " place, for obteyning of quhilk, againis my naturall, I " betray thame that may impeſche me. God forgive me, " and God gif yow, my onlie luif, the hape and proſperi- " tie that your humble and faythfull luif deſyris unto yow, " quha hoipis ſchortlie to be ane uther thing unto yow."

Item, In the credit gifin to the berar, quhome we under- ſtand was *Pareis*, " Remember yow of the purpois of the " Ladie *Reires*------of the ludgene in *Edinburt*."

Item, In ane uther lettre ſent be *Betoun*: " As to me, " howbeit I heir noe farther newes from yow, according " to my commiſſion, I bring the man with me to *Craigmil-* " *lar* upon *Munday*, quhair he will be all *Wedniſday*. And " I will gang to *Edinburt* to draw bluid of me, gif in the " mene tyme I get no newes in the contrair from yow."

Item, Verray ſchortlie after: " Summa, ye will ſay he " makis the court to me, of the quhilk I tak ſo gret pleſeur, " that I enter never quhair he is, bot incontinent I tak the " ſeiknes of my ſyde, I ame ſoe faſchit with it: Yf *Pareis* " bring me that quhilk I ſend hym for, I treaſt it ſall amend " me. I pray yow adverteis me of your newes at length, " and quhat I ſall do in caice ye be not returnit quhen I " cum thair, for, in cais ye work not wyſelie, I ſie that the " haill burthin of this will fall upon my ſchulderis. Pro- " vyde for all thingis, and diſcourſe upon it firſt your ſelf."

Item, In ane uther lettre: " I pray yow, according to " your promeis, to diſcharge your hart to me, utherwayis " I will think that my malheure, and the guid compoſing of " thame, that hes not the third part of the faythfull and " willing obedience unto yow that I beyre, has wyne, a- " gainis my will, that advantage over me quhilk the ſecund

" luif

" luif of *Jaſon* wan; not that I wolde compair yow to ane " ſa unhappie as he was, nor yit myſelf to ane ſoe unpeti- " full a woman as ſche; howbeit ye cauſe ma be ſumquhat " lyck unto hir in ony thing that twichis yow, or that may " preſerve and keip yow to hir, to quhome ye onlie apper- " tein, yf it may be ſuer that I may appropriat that quhilk " is wonne throuche faythfull, yea only luiffing yow, quhilk " I do and ſall do all the dayis of my lyif, for pane and e- " vil that can cum thereof. In recompenſe of the quhilk, " and of all the evill quhilks ye haif bein cauſe of to me, " Remember yow upon the place heir beſyd, *&c.*"

NUMB. LI.

A letter from the Duke of Norfolk *directed to the Earl of* Pembroke, *Lord Steward of the Quene's moſt honourable houſe, and to the Earl of* Leyceſtre, *and* William Cecill *Knight, principal Secretary to the Quene's Majeſtie, from* York *12th of* October 1568.

Paper-office. *An original in the Duke's hand.*

AFTER my moſt hartye commendatyons to your good Lordſhip, I have forborne all thys whyle to writte ennye thyng unto you, becawſe the Quene's Majeſtye's letters dide ever conteyne as muche as we cowld wrytte off ower procedynges heare; and at thys tyme alſo we have wrytten in her Hyenes letters what is chancyd off newe. Marrye, the occaſyon of thys my wrytyng unto you at thys tyme, ys to putte you in remembrance off your promyſys made unto me, wyche was that you taryyng behynd wold furder us in thys her Majeſtie's ſarvys, as we in enye reaſonable requeſt cowld deſyer. By thes ower too laſt letters wrytten unto her Majeſtie, you maye ſee we are gone as far as we cane, tyll we receave anſwere from her Highnes ageyne; and for my none parte, I thynke I may aſſurydlye ſaye, that the Regent and ther ſyde (as by ther warie del-

yng you maye perceave) mynde to proceede no furder tyll they maye assure them selfis, what her Majestye thynkes of thes cawsys, that they have schewyd us to charge ther Quene withall, what her jugement schall fall owte therupon, as also after jugement in what leage her Hyenes (the matter fallying owte manifestlye) myndes to joyne with ther Kynge, and them that nowe by ther parlement have the governement of that realme. Thynk them not my Lords to be to presyse: Juge them as we wold juge of ower selfis yf we wer in ther cace. They playe at no small game; they stand for ther lyves, lands and goods; and they are not ygnorante yf they wolde, for yt ys everye daye told them, that as longe as they absteyne from towching ther Quene's honor, sche wyll make with them what reasonable ende they can devyse. Yt were pytye that they, for so muche trustyng to us, schuld hender ther owne cawse. Ther ys but too wayes to be taken; the one, yf the facte schall be thowght as detestable and manefeste to you, as for owght we can perceave yt semethe here to us, that condynge jugement, with open demonstratyon to the holle world, with the holle cyrcumstancys, and playne, true, and indyfferent procedying therin, maye dyrectlye appeare; of the wyche for ower owen dyscharge we doe not omytte to kepe good and suffycyent memoryalls, not forgettying with what manner of person we have to deale, nor yeat howe the upryght handlyng of thys cawse schall importe us bothe in honor and honestye to the holle worlde. The other ys, yf her Majestie schall not allowe of thys, then to make suche a composycion as in so broken a cawse may be; of ether of wyche, for her Hyenys better sarvys, we desyer to be advertysyd with spede, havyng nothyng to doe tyll we have full resolutyon from her Majestie, but to dryve on the tyme by dylatorye plees, as by my Lord Regent's answere sent unto her Hyenes you maye perceave. Whether you take the fyrst waye or the last, one thyng wold be presentlye well wayed and consyderyd amongst you, and theruppon we to receave your resolutyon: What meanes and wayes you wyll have usyd for the reconcylyatyon, and compond-

yng

yng of the dyfferencys betwyne the Regent and hyis partye of the one fyde, and the Duke with the *Hameltons* of the other, whoes partye I thynk as good as ther Quene's. And, for myn oune parte, what ende foever you take, I thynke you ſchall make but boched work, yf you doe not ſowndlie and perfectlye conclude thowes dyfferencys: He beying ther amongſt you, you can better tell what humor for reconcylyatyon he ys in, than we heare; and yeat I feare me, whan you have wrowgt hyme ther, he muſt came hether before enye full concluſyon wyll be made: As long as he dremes of a maryage to be hade betwyne hys ſone the Lord of *Arbrothe* and thys Quene, I thynke you ſchall fynde that he wyll harkne to no ende, I fynd ſo much by ſume ſecrete intellygenſe that I have heare. And thus you may ſee howe farre, in friendchype to you as to my aſſuryit frynds, I wade in thys moſt brykle cace; for hear is no bodye of enye ſyde, but that for feare, or myſtruſt, makes courteſye to utter playnlye ther mynds in that cace, wherein they knowe not the ende. And ſo for thys tyme, wyſchyng to your Lordſhips more quyetnes than we yeat can fynd heare, aſſuryng you that ther ys no hope of farder procedyng heare, withowt her Majeſtie's reſolute determynatyon, I bede you moſt hartelye farewell. From *Yorke*, this 2d of *October* 1568.

Your good Lordſhip's moſt aſſuredly,

T. NORFOLKE.

NUMB. LII.

The twelfth daye of October 1568.

From the Duke of *Norfolk*'s book of entries.

THIS daye the Lord *Herries*, and the Lord *Boyde* came to the Quene's Majeſtie's Commyſſioners, only to conferre in talk with them touching the anſwere of the Regent and his colleagues, to the complaint before geaven in by the Commyſſioners and others for the Quene of *Scottes*; and

required reſpite of their replication, till ſuch tyme they heard from the Quene their miſtreſs by their next depeche, for the which cauſe the next morninge they diſpatched the Byſhoppe of *Roſs*, and the Lord *Boyde* unto her.

This daye beinge the 13th of *October*, we received lettres from the Quene's Majeſtie, beringe date the 10th.

In the afternoone of the ſame daye the Quene's Majeſtie's Commyſſioners ſent to the Commyſſioners of the Quene of *Scottes*, wiſhing that they wolde, according to the Quene's Majeſtie's pleaſure in her late letters, procure their commyſſion to be enlarged: Whereunto in the end, after ſome debaitinge thereupon, the Lord *Herries* promyſed, that he wolde ſend to the Quene his miſtreſs for that purpoſe, the alteration of which commyſſion appeareth by their wordes hereafter following, which weare delivered in writinge to the Lord *Herries*.

The copie of the wordes wherein the Quene of Scottes *commyſſion was altered.*

"And theare not only to treete, conclude, and indent, "upon all ſuche heades and articles, as ſhall be founde, to "our ſaid deareſt ſiſter's Commyſſioners and them, beſt for "the furtheringe of the glorie of God, the reduction of our "ſaid diſobedient ſubjects to their detfull obedience to us, "for good amitie, as well for bygonnes as to come, betwixt "them, and all our obedient ſubjects: But alſo to treat, "conclude and determine, of all other mattiers and cauſes "whatſoever in controverſie betwene her and her ſubjects. "And further, &c."

NUMB.

NUMB. LIII.

A letter from the Duke of Norfolk *to Sir* William Cecill, *from* York *the 15th of* October 1568.

Paper-office. An original in the Duke's hand.

WE have lytle of news to wrytte unto you, but remayne expectyng letters from her Majeſtie, tyll the recepte wheroff we knowe not wyche waye to proſede. Thys cawſe ys the huirtfullyſt and dangerouſt that ever I lette in: Yf you ſawe and harde the conſtante affyrmyng of bothe ſydis, not withowte great ſtowtnes, you wolde wonder. I fynd by ſume ſpeches caſt owte by thys Quenis commyſſioners, that yf in the ende ſche be dryvene to her tryall, ſche wyll deſyer that ſche maye be preſent in perſon, a thyng that in my opynyon hathe neade of good conſyderacyon. You ſchall fynde in the ende, that as there be ſume fewe in thys companye that mynde playnlye and trulye, ſo ther be others that ſeke hollye to ſarve ther owne partycular turnes, the wyche beyng done, they care not what becumes nether of Quene nor Kynge. And this good Mr. Secretarye, beyng more weryyd with the inconſtancys of thes mene's doyngs, than with enye other travel, I bede you moſt hartelye farewell. From *Yorke* this 15th of *October* 1568.

Yours moſt beholdyng,
T. NORFOLKE.

P. S. The Quene of *Scottes*, in reſpect of herſelſe, I thynke, hath better frynds of the Regent's ſide than of here owne.

NUMB.

NUMB. LIV.

Letter from Sir Francis Knollys *to the Duke of* Norfolk, *15th* October 1568.

An Original. *Cotton. lib. Cal. C.* I.

BECAUSE your Grace desired me to write unto you of the humour that I should find this Quene in, now at my return unto her; therefore it may please the same to understand, that as I rade hitherward, casting doubts with myself, whether her Majesty would answer the request of my Lord of *Murray* and his party, for their assurance (aforehand) to their satisfaction, although it might be, that her Majesty would think meet, that they should proceed fully and wholly to charge this Queen, and that your Lordships, her Majestie's commissioners, should proceed to the hearing of all things to the full on both sides: Therefore I mused and did cast, and conceived in mine own opinion, that although her Majesty would have the charge and hearing to proceed on all sides to the full, yet there might be a way left to a reconciliation, by a stay of the publication of the odious accusations, if that it might suffice my Lord of *Murray* and his party, to content themselves to proceed upon her Majestie's promise by your Lordships, that either she would, upon the full hearing, detain this Queen, and maintain the government of *Scotland* in the name of the young King her son, or else that her Majesty would stay the publication of all the odious accusations, and would make a reconciliation to all their contentations. And although this be a hard matter (being last mentioned) to be brought to pass with safety; yet I thought this answer might serve for their proceeding, if her Majesty should not think otherwise good to bind herself aforehand, and yet would have a full hearing proceed: But as yet I being uncertain whether this Queen would allow of any reconciliation, if the odious accusa-

accuſations ſhould once proceed againſt her; therefore when ſhe was inquiſitive of me upon my return, how matters went at *Yorke*, ſaying unto me, that ſhe had received the anſwer of her adverſaries, to the firſt accuſation of her Commiſſioners; but, ſaieth ſhe, whether will they proceed to their odious accuſations? or whether will they ſtay and be reconciled unto me? or what will my good ſiſter do for me? I anſwered, That I knew no more, but that your Lordſhips had full authority to hear all the accuſations and controverſies, and therefore I could not ſee, but that the proceeding would follow accordingly, how ſlow ſoever they were in entring thereunto. Well, ſaith ſhe, my Commiſſioners ſhall not begin ſeverely, but if they will fall to extremity, they ſhall be anſwered roundly, and at the full, and then we are paſt all reconciliation: Nevertheleſs, as far as I could perceive by her, as long as there is no open publication to the world of the odious accuſations of her guiltineſs of the murder, ſhe may be eaſily brought to a reconciliation outwardly, ſo that ſhe might be ſet in the chief ſeat of government again. But how this reconciliation might ſtand firm and ſure to her Majeſtie's benefit, I do not perceive, unleſs (as it was mentioned * in your Grace's preſence) ſome younger brother of a noble houſe, or ſuch an ane as my couſign *George Carye*, that is as near in blood to her Majeſty of the mother's ſide, as ſhe is on the father's ſide, might be matched with her in marriage to her Highnes's good contentation, and to avoid all marriages with the *Hamiltons* or with the *Frenchb*. But peradventure my Lord of *Hunſdon* would be offended with me for marrying of his ſon in this behalf, and therefore I pray your Grace to uſe the matter thereafter.

Upon *Wenſday* Night late hither came the Biſhop of *Roſs* and my Lord *Boyd*, her Commiſſioners, and yeſterday in the forenoon ſhe had learned of them, that my Lord of *Murray* and his party had privily uttered to your Lordſhips, that be her Majeſtie's Commiſſioners, all that they were able to alleadge

* This letter is written by *Knollis*'s ſervant to this mark *, and from that to the end by his own hand.

alleadge againſt her, and how that there would be a ſtay of proceeding untill your Lordſhips were advertiſed from the Quene's Majeſtie of anſwer of your letters lately ſent up in that behalf; and my Lord *Scroop* can tell you of diverſe other ſpeeches that ſhe uttered unto us; inſomuch as we marvelled how her Commiſſioners could come by ſuch intelligences; whereof we pleaded ignorance, and ſaid her advertiſers deceived and abuſed her: But ſhe would not be perſwaded.

I beſeech your Grace, that if things fall to extremity, that I may have word aforehand, and that my Lord *Scroop* may return furthwith. And alſo, that her removing hence to a ſafer place, and be ſome honourable conductors may be thought upon; ſo that after this long bondage of careful and tedious ſervice, we may be now relieved.

NUMB. LV.

Letter from Knollys *to* Cecill, *ſent together with a copy of his preceeding letter to the Duke of* Norfolk.

From the original in the *Paper-office.*

BYCAUSE I am advertiſed from *Yorke*, that hyr Majeſtie dothe hetherto ſtaye the anſweryng of the artykles of my Lord of *Murraye* and his partie, therefore I have thought good to ymparte unto you my doyngs in this mean tyme, by ſending you herwith the copie of my letter which I ſent to the Duke of *Norfolk*'s Grace upon my returne hether: It ſemed a reſolute opynyon at *Yorke*, that eyther there wold be no entrance into the odious accuſations, or els the extreme perſecution of theyme owghte neceſſarely to inſue againſte this Queen.

As towchyng the matter of my couſin *George Carie*, *&c.* I wrote the copies thereof alſo of myn owne hand, bycauſe I thowght it not mete the underſtanding thereof unto ſervants: I doe ſuppoſe, that this Quene (to have hyr Majeſtie's

ſtie's favore) wold not ſtyck to inklyne to ſuch a one as he, and bycauſe he and his race have none other honor, credite nor countenance in the worlde, but ſuche as dependeth upon her Majeſtie's favor towards theym; therefore I cowld not thynk uppon any other that her Majeſtie wold ſo eaſely allowe of in that behalfe.

What is fytt for hyr Majeſtie to do, paſſethe my capacetie to gyve cownſayle, the circumſtances that have paſſed are ſo diverſe: All thyngs conſydered, I ſee not howe hyr Majeſtie can with honor and ſafetie detayne this Quene, unles ſhe ſhall be utterlye diſgraced to the worlde, and that contrarie partie be thorolye mayntayned. Agayne I ſee not howe hyr Majeſtie can ſafelye make a reconciliation, and ſet hyr in hyr ſeate with the ayde of a fixed counſayle or otherwyſe, unleſs all forayn practiſes may be avoyded by an *Ynglyſhe* maryage; but althoe myn ygnorance be thus wyſe opened, yet without prejudicing of anye, I referr the judgement of theſe matters to theym that can ſee farder.

And thus, with moſt hartie commendations, I ſhall commyt yowe to God. From *Bolton*, the 20th of *October* 1568.

F. KNOLLYS.

X NUMB.

NUMB. LVI.

From Queen Mary's *Regiſter*. Cott. libr. Titus, C. 12.

Upon *Sattirday* the ſixteenth day of *October*, in preſens of the Quenis Majeſtie's Commiſſionaris of *Ingland* foirſaidis: The quhilk day the Commiſſionaris for the Quenis Majeſtie of *Scotland* gaif in and exhibited to the Quenis Majeſtie of *Ingland*'s Commiſſionaris ane reply and trew declaratioun, anſwering the allegeancis maid be the Erle of *Murray* and his adherentis, quhairof the tenour followis:

The replye of the Quene of *Scots* Commiſſioners to the Earl of *Murray*'s anſwer,

INTITULED,

The replye and true declaratioun of the Commiſſionaris in the behalf of the Quenis Hienes of Scotland, *our Soveraigne; to the anſwer of* James *Erle of* Murray, *and his adherentis; exhibited unto the Duke's Grace of* Northfolke, *and the Lordis Commiſſionaris auchthorized by the Quenis Majeſtie of* England.

The original is in *Cott. libr. Cal. C.* 1. *fol.* 202.

QUHAIRAS in the anſwer preſentit to your Grace, and utheris the Commiſſionaris of the Quenis Majeſtie of *Ingland*, to the compleynte gevin in be us in our Soveranis name, declaring thairby, "That quhair our Sovera-"nis laitt husband wes murderit, *&c.*" Hir Hienes, we, and utheris hir trew ſubjectis, dois maiſt ſorrowfullie lament that tragedy, mynding, with the aviſe and counſall of the Quenis

Quenis Majeſtie of this reelme, maiſt rigorouſlie to puniſhe the ſame; and gif hir Grace had nocht bene trublit in hir auctoritie, the ſame wald haif tane effect or now. And beeans in thair anſwer thay allege our ſaid Sovereigne voluntarilie, uncompellit, to haif dimittit and reſignit the gouernament of hir realme and liegis to hir ſone, the Prince, and conſtituted *James* Erle of *Murray* Regent, dureing his minoritie, with utheris inventit clauſis, to hir Hienes diſhonour and diſavantage,

Firſt, adhering to our former proteſtatioun, That our ſaid Sovereigne, being ane fré Prince, with ane imperial crown grantit hir by God, acknawledgis na ſuperior in erth: And thairfoir may not be content, that hir Majeſtie's eſtate and crown cum in queſtioun before ony juge; zit nevertheleſe, for the declairing of the treuth and veritie to the Quenis Majeſtie of this realme, your Grace and my Lordis Commiſſionaris, of ſic thingis allegit be thayme contrare our Sovereigne, we do replie as follows:

That quhairas it is allegit, that the complices of the Erle of *Murray* tuke occaſioun to put thame ſelfis in armis aganis the Quenis Hienes thair Sovereigne, becaus *James* Erle *Boythwell* being in ſic grete credit and auctoritie with his Sovereigne, being knawin, as thay affirm, the chief auctor of the horrible murder comitted on her ſaid husband, *&c.* Quhilk can na ways excuis thair unnatural and diſobedient fact, for thair part; for, gif he was principal auctor of the murder, the ſame was never knawin, nor manifeſtit to her Hienes, bot the contrare did weill appere to her Grace, be reſſoun the ſaid Erle of *Boythwell* being ſuſpectit, indytit, and ordorlie ſummounit be the lawis of that realme, was acquite be ane aſſyſe of his Péiris, and the ſame ratifiet and confirmit by auctoritie of parliament, be the greiteſt part of the Nobilitie, aſweill of the principallis quhilk now withdrawis thame ſelfis ſenſyne from the Quenis Majeſtie thair Sovereigne's obedience, as utheris hir faythfull ſubjectis, quhilkis alſo conſentit and ſolicitit our ſaid Sovereigne to accompliſhe the ſaid marriage with him, as the man maiſt fitt in all the realme of *Scotland*; in ſo doing promiſing him

ſervice, and her Hienes loyall obedience: And mony of thame ſelfis gaif thair bandis unto him, to defend him agane nis all thais quhaſoever mycht challenge or perſew him thaine efter for the ſaid cryme, as thair handwrittings can teſtifie. And further they, nor nane of thame, either before the marriage, or efter, cam to her Hienes, as the part of trew ſubjects ſhould haif done, knawing of that tyme (as thay affirme) the contrare, either privatelie or oppinly to find fault with the ſaid Erle concerning the murder forſaid, or yet in ony ways ſeemit to grudge or diſallow the ſaid mariage, unto ſic tyme thay had practizit the keipar of the caſtell of *Edinburgh* and Provoſt of the town, to be thair aſſiſtaris; and then ſecreitlie take armis, and upon the ſuddain on the nyght, with thair forces environit the caſtell of *Borthwik*, quhair her Majeſtie was in quiet and peaciabill manner. So that thair firſt warning was be ſowind of trumpet and thair lycht in armes. And her Grace eſchaping to *Dunbar*, quhairthrow thay could nocht attain to thair conſpyrit purpos, returnit ſuddenlie to *Edinburgh*, raiſit bandis of men of weir, ſet out thair proclamationnis, affirming the ſame to be for her releif, inbeſett hir way betwixt hir Grace's caſtellis of *Dunbar* and *Edinburgh*. And her Majeſtie willing, for the tender luif her Hienes bair her ſubjectis, to ſtanch all effuſioun of blude amangis thayme, did nocht preſer the impunitie of the Erle *Boythwell* to her awn honor, in ſeing him convoyit away, as in their anſwer is contenit: For thay being on the feild in arrayit battell againis hir Majeſtie, ſend the Laird of *Grange* to her Hienes, and deſyrit her Grace to caus the Erle *Boythwell* paſs off the feildis, alleging him ſuſpect of the ſaid cryme, unto the tyme the cauſ mycht be tryit; and that her Grace wald paſs with thame, and uſe the counſall of her Nobilitie, and thay ſould honour, ſerve and obey her Majeſtie as thair Princes and Sovereigne: And upon thair promeis, for eſchewing of bludeſhed, as ſaid is, her Majeſtie conſentis thairto, and paſſit with the ſaid Laird of *Grange* to thame, quho at the ſamyn tyme tuik the Erle *Boythwell* be the hand, and baid him depart, promiſing, that na man ſhowld folow nor perſew

ſew him: And ſwa be thair awin conſent he paſt away: And gif thay had bene myndit to perſew him onlie, they wald nocht haif left the doing of all diligence was poſſible, quhairthrow he mycht haif bene tane; bot fra thay had gottin her Majeſtie's perſoun in thair handis, they maid na travell nor perſuit agains him ſa lang as he was in the countrey neir thame, quhair he remanit ane gryte ſpace, and mycht haif apprehendit him more eiſilie, nor quhair lang tyme, he being furth of the realme and unrecoverabill, maid ane colorit maner of ſeiking him upon the ſey; as now it appeiris manifeſt, it was nocht him they ſocht, bot thair awin particular profit; quhairthrow to all men of haill judgement it may appere, hir Grace preſerrit nocht his eſchaiping and impunitie to hir awin honour. For quhatſoever was left ondone in that behalfe, it may maiſt juſtlie be laid to thair awin charge.

And thairafter, at her Grace's firſt cuming to thame on the feildis, the Erle of *Mortoun* ſaid to hir Majeſtie, with gryte reverence, Madame, heir is the place zour Grace ſhould be; and we will honour, ſerve, and obey zow, as ever the Nobilitie of this realme did ony of zour progenitors of befoir; and, haifing ratifyit the promeis maid be the Laird of *Grange* in thair names, hir Majeſtie paſſing with thame to *Edinburgh*, being ludgit in ane ſemplil burges hous, (ſetting aſyde her awin pallaces and caſtellis) and raidlie and rigorouſlie entreatit be thame, contrare thair promeis, being thair Princes and Sovereigne, it was na wounder in caſe her Majeſtie had gevin thame quick and ſcharp anſweris, (as we belief) nocht unreaſonablie, bot was alwayes content, tuitching ony thing allegit be thame, to offer the ſame to be reformit be the tryall of the haill Nobilitie, and Eſtaitis of the realme, her Grace being preſent and heard; and to that effect directit her Secretare *Lethingtoun* to thair counſall that held her captive at that tyme, and was aluterlie refuſit thairof; and maid na offer to leif the realme, that her Grace mycht poſſeſſe the Erle *Boithwell*, as thay allege.

And thairefter her Grace was ſecretlie convoyit perforce, and

and againis her will, in the nycht, and inprisonit within the fortalice of *Lochlevin*. Quhair, thay allege, her Hienes finding herself irksum and wearie of the governament of her realme and liegis thairof, for the quhilk and uther considerationis moving her, her Majestie dimittit the same in favours of the Prince her sone, constituting the said Erle of *Murray* his Regent during his minoritie, willinglie and uncompellit thairto;

It is manifest the treuth to be otherwise, as evidentlie may appere be mony sindrie and infallible resounis. For first, her Majestie is nocht of sic age, or subject to maladies and seiknes, (thanks to God) or so unhabil of her persoun, for to refuse that quhilk God had gevin her Hienes to reule. And it is certane, before the subscryving of the allegit dimissione, that the Erle of *Athole*, Lardis of *Tullibardin* and *Lethingtown*, being principallis of thair counsall, sent *Robert Melwile* to her Hienes with ane ring and tokenis, counselling hir Majestie to subscryve sic writingis as would be presented to her Grace, for dimissioun of her crown, for to put off that present deith quhilk was preparit for her Hienes, gif she refusit the same; assuiring her, quhatsumever her Majestie did in captivitie mycht nocht prejuge her Hienes in na sort: And als the said *Robert Melwile* brocht at the same time ane writing fra Sir *Nicolace Throgmortoune* writtin with his awin hand, desyring her Hienes to subscryve quhatever thay wolde require her unto; for the estate, quhairin her Grace was then, coulde not prejuge her, quhatever her Majestie subscryved: Quhom to her Grace sent answer in writ, that her Hienes would use his counsall, and prayit him to declair unto hir derrest sister, the Quenis Majestie of *England* his mastres, how hir Hienes was handilit be hir subjectis, and quhat estaite her Grace was in for the tyme; and to declair also, that the subscryving of that dimissioun was againist her will; and doubtis nocht, bot the said Sir *Nicolace* schewit the samyn unto the Quenis Majestie of this realme, her Hienes being myndit, at that tyme, to haif send an armie in *Scotland* for the delyvering of her Majestie furth of presoun, war not her Majestie was suirlie

adver-

advertiſit in caſe her Hienes had ſo done, the blude of our maſtres had payt the *ſould* * of her Hienes ſouldiouris. And at the preſenting of the ſaidis writingis of dimiſſion of her crown to hir Majeſtie, be the Lord *Lyndſay*, he minaſſit her Grace, that gif ſhe wald nocht ſubſcryve, he had command to put her preſentlie in the towre, and wald do the ſame, and counſalit hir to fulfill thair deſyre, or ellis war ** would ſchortlie follow; quhilk her Hienes ſubſcryvit with mony tearis, never luiking what was contenit in the writingis: Declaring plainly thaireftir, gif ever hir Grace come to liberti, [ſhe] wolde never abyde thairat, becaus it was againſt her Majeſtie's will.

And als the Laird of *Lochlevin*, being then her keipar, would nocht cum preſent, and deſyrit ane writing of her Hienes, to teſtifie that he was nocht preſent the tyme of her ſubſcriptioun, becaus he knew the ſame to be done againſt her will; and that the ſame ſhould nocht be impuit to him in time cuming; quhilk writing he obtenit: And gif probabill appearance ſhould haif place, hir Grace's conditioun had bene verray ſtrait and miſerable in the ſaid dimiſſioun, quhairin nather hir Hienes had reſervit onie portioun of hir revenue quhairon to haif leivit, nor obtenis thairby hir libertie, nor zit ſuir promeis nor aſſurance of the ſaiftie of her lyfe.

Quhilk premiſſis being conſiderit, our ſaid Soverane has na wayis prejugit hir titill and eſtait in the ſaid forſit dimiſſioun, quhilk neither law of God nor man dois appreiff; for at hir furth cuming of the ſaid preſoun, in preſence of ane gryte part of her Hienes Nobilitie in *Hammyltown*, revoikit the ſaid pretendit dimiſſioun of hir crown, and all that followit thairupon, affirming the ſame be ane ſolemn aith to haif bene done for feir of her lyfe.

The pretendit coronatioun of hir Hienes ſone, in reſpect of the premiſſis, alſweill undewlie as unorderlie led, can prejuge hir Majeſtie in na wayis; for quhair in that realme thair is ma Erlis, Biſchopis and Lordis, haifing voice in parliament nor an hundreth, off the quhilk the haill, or, at the

* *i. e.* wages. ** *i. e.* worſe.

the leist, the greyeest part should haif consentit thairto, and to all uthir publick actiounis of consequence, wer onlie four Erles; quhairof the most honorabill hes nocht the fevint or eight place in parliament amangis the Erlis, nor the first of twenty voitis, amangis the haill Estatis; sex Lordis onlie, quha wer all at her Grace's taking, together with ane Bischope, and twa or thré Abbotis and Prioris: Quhilk could be na sufficient number to determine and conclude sa weightie an caus, protestations being openlie made, "Quhatsoever was done at the said coronatioun, contrare hir Majestie's estait royall, hir persoun, or zit in affirming onie Regent, sould in na ways prejuge hir Hienes self, nor hir estate royall, nor zit the nerrest lauchfullie descendit of hir Majestie's progenitouris blude, Kingis and Quenis of *Scotland*: Becaus her Grace had bene lang time bygane, and at that time, straitly and rigorouslie kepit within the fortalice of *Lochlevin*; quhair nane of her faythfull subjectis, nor the King of *France*'s Ambassador, being present for the tyme, nor zit the Queen of *Ingland*'s that com thairester to that effect, mycht haif frie access to her Hienes, to know quhidder the said dimission was willingly done be her Majestie, or nocht," as authentick instrumentis, in presence of the forsaid number of the Nobilitie thair present takin, will proport. For gif her Grace had willingly dimittit the same, as hir Hienes did not, hir Hienes could nocht haif nominat the said Erle of *Murray* Regent, for thair wer utheris, to haif bene preferrit to him, quha wer mair lawfull, and had mair right thairto, and worthelie usit the governament of that realme, in our said Soveranis minoritie.

Quhairthrow the said pretendit coronatioun, the allegit investing, and wrongous electioun of the said Regent, nor the affirming thairof be pretendit parliament, was nather dewlie, richtlie, nor ordourlie done, as in thair answer thay affirme, nor zit obeyit universallie within the haill realme; becaus ane gryte part of the Nobilitie, and speciallie of the maist principallis, never obeyit, voitit, or subscryvit with thame, but ever enrollit, and held thair courtis in the Quenis Maje-

Majeſtie thair Sovereignis name. And utheris, quhilk did compere in the ſaid pretendit parliament, tuik inſtrumentis and proteſtatiounis, baith in articlis, and at the voiting tyme in plane parliament, that thay conſentit to na hurt of the Quenis Majeſtie's perſoun, eſtait royall, nor crown, farther nor her Hienes wald frielie appreif hirſelf being at libertie, nor yet wald voit in onie thing concerning her Grace's honor nor lyfe; bot planelie oppoñit themſelfis in the contrare, *howbeit thay haif cauſit inſert uthirwayis in thair pretendit actis, and will ſuffer in nawayis thair Clarkis to gif furth the foreſaid proteſtatiounis.*

And quhair it is allegit, that certane of the ſaid Nobilitie, favoraris of the Quenis Majeſtie thair Sovereigne, wer impatient to ſee the puir pepill of that realme enjoy quietnes, and diſdaning to ſee juſtice proceid, to the puniſhment of the offendaris, over the haill realme: Be the contrare, the eternal God knawis, and men in erth dois teſtifie, quhat murder and bludſhed, quhat thift and reiff, quhat deſtructiounn of policeis, in caſting downe cathedrall kirkis, and true Barronis houſis, and taking up of true mens gudis to ſatisfie thair ſouldiouris, haif bene committit ſen that pretendit coromatioun and uſurpit regiment, as be the particularis will appere, quhen thay ſhall be gevin in; the like quhairof in croniclis hath nather bene heard, nor ſene, nor writtin thir mony hundreth zeiris.

And to the laſt allegit offencis, committit be our ſaid Sovereigne's liegis and true ſubjectis, in withdrawing thame from the ſaid pretendit authoritie, in haulding of houſis, cuming to the feildis in weirlik manner, taking and inpreſſoning of officiaris for making of proclamatiounis aganis thair authoritie, we affirm the ſame, in ſa far as it was be the commandment of our ſaid Sovereigne Ladie in executiön of juſtice, to be maſt juſtlie, dewlie and ordourlie done, as thay that had lauchfull powar and auctoritie of her Hienes grantit thairto; and quhaſoever hes done ony ſic actis, nocht auctorizit be hir Majeſtie, we affirm the ſame maiſt wrangfullie and unjuſtlie done.

It is thairfor requirit in her Hienes behalf, that her Grace

may be ſupportit and fortifeit be the Quenis Hienes of *Ingland*, to peaciablie enjoy and govern her realme, and liegis thairof, according to it that God hath callit hir Grace unto, and thair uſurpit and pretendit auctoritie to be null fra the beginning, and all that followit thairupon; and that the wrangis comittit be thame, alſweill towartis hir Hienes ſelf, as utheris hir faithfull and obedient ſubjectis, may be reparit, according to all equitie and reſſoun, that na furder troubill enſew thairupon: Alwayis proteſting to add to thir premiſſis, as tyme and neid ſhall requyre.

JOANNES ROSSEN. HERRYS.
BOYD. LEVINGSTON.
KILWYNNING. LOCHINWAR.
SKIRLING, *Knt.*

NUMB. LVII.

Part of a letter from Queen Elizabeth *to her Commiſſioners*, 16*th* October 1568.

From the original in the *Paper-office*.

WE grete you well. We have of late receaved your ſeverall letters of the 9th and 11th of this Month, with all ſuch other matters conteyned in ſundry writings, as by your ſaid letters hath been mentioned. Upon conſideration wherof, with ſuch of our counſell as now attend upon us, we have, after good deliberation, found ſuch difficulties how to make a certen reſolute anſwer unto yow, as we are rather moved to have furder adviſe of others of our counſell now abſent, and likewiſe of you ther, then preſently to make any ſoddayn and incertayn determination upon the whole body of the matter. Wherefore like as we meane to ſend for certen of the Lords of our counſell as be now abſent, to have and uſe their adviſe, ſo we are deſirous to have ſome underſtanding of your opinions, and therwith alſo to ſeele the minds of both the parties with whom you have

have there to doo. For which purpoſe we wold have you Sir *Raff Sadleir* make your repaire hither to us, as you may with ſpede, by whom having your adviſes therto, we may be aſſerteyned in certen queſtions and matters conteyned in a writing here included: And likewiſe we deſire to have here the Lord of *Lyddyngton* and *James Makgill*; and on th'other parte, the Lord *Hereys* and the Abbot of *Kilwynning*. And yet, for the procuring of them to come hither, we think good theſe meanes be uſed; We wold have yow to declare unto the Commiſſioners on both partes, either ſeverally or joyntly together, that upon the complaints made on the Queen's behalf, and the anſwers made therto on the other parte, (wherof yow have ſent us the true copies, and have required to know our furder pleaſure for your furder proceeding) we have found it very neceſſary, for our owne information, and for the more ſpeedy and good ending of the wholl matters, to have ſome one of ether party, ether of the Commiſſioners themſelves, or of ſuch as they ſhall allowe, to come hither unto us; with whom, as with perſons of underſtanding, and having credit, we may ſo conſer, as thereby we may finally tak ſome reſolution how to direct the doing of you our Commiſſioners for the ſpeedy ending of the wholl cauſe; wherin you may ſaye, we do find certen ſuch difficulties, as without ſuch a conference, by way of ſpeche with ſome of ether party, we cannot give yon ſuch a direction as might without furder delay of time, by ſending to and fro, make an end of the wholl cauſe, for the commodity and ſatisfaction of both parties. And having propounded this motion unto them, you may, as of your ſelves, procure the Queen's parte to allowe of the ſending of the Lord *Hereys*, and of the Princes parte to ſend the Lord of *Lyddyngton*, if you ſhall think that th'Erle of *Murray* will committ as much truſt unto him as we think he is here able to conceave and diſcharge in conference with us. And therwith you the Duke and the Erle may adde, that yow will be bold to ſend Sir *Raff Sadleir* likewiſe unto us, to be preſent with them at our conference, who may be therby the meeter at his returne with them to bryng to yow

our perfect resolution for the wholl matter, And this being done and accorded, we think it good that some private motion be made apart to the Abbot of *Killwynning*, by way of a friendly manner, to advise him, in respect of the Duke of *Chatilrault*'s cause, to come up and be here at this conference also. And if it be found, that *Lyddyngton* shall not be thought by the Erle of *Murray* mete ynough for his parte, than though he send any other of his collegues in commyssion with hym, yet we cold be content that *Lyddyngton* might also come, in respect of the acquayntance he hath here. For the time of their comming, you may move them to use as much diligence as themselves shall allowe of, and, as soon as you can, to wryte therof unto us. And the more willingly to induce them of the Queen's parte therunto, who, we think, will most suspect the same, we wold have yow to use all good meanes, wherby the Queen may understand, that this our conference is entended to take away the delay of time, which of force we see like to ensue, by sending to and fro by way of letters and writing betwixt us and yow our Commissioners, in such uncertayn sorte as we cannot see any lykilood, but by this means, how to end this cause in honorable sorte, and mete for all parties.

In the dealyng herin, yow shall doo well to have good regard that none of the Queen of *Scots* Commissioners may gather any dout of any evill succes of her cause, but that they may imagyn this conference of ours principally to be ment how her restitution may be devised with suerty of the the Prynce hir sonne, and the Nobility that have adhered to hym; and therin yow shall doo well to understand their intentions in as many resonable degrees as may be devised, so as, at the coming of you Sir *Raff Sadleir*, we may have the more facility to treat thereof, *&c.*

NUMB.

NUMB. LVIII.

The Duke of Norfolk, *Earl of* Suſſex, *and Sir* Ralph Sadleir, *to the Quene's moſt excellent Majeſtie.*

From the original among *Cecill*'s papers.

PLEASITHE it your Highnes to underſtand, that like as by our laſt letters it may appeare to your Majeſtie, that the Earle of *Murray* and his colleagues had put in an anſweare to the complainte exhibited againſt them by the adverſe partie, (the copie of which anſweare we ſent to your Majeſtie:) So did we alſo deliver a copie of the ſame unto the Byſhoppe of *Roſs*, and his colleagues, requyringe them to replie thereunto, as they ſhould thinke convenient. Whereupon they pawſed a whole daye and more, and at laſt ſhewed unto us, that it behoved ſome of them to ſpeake with the Quene their Sovereign, before they could make their replie; for that thereby ſome matteir were like to growe and come in queſtion, whiche they might not treate of, untill they knew the Queen their miſtreſs pleaſure: Which we referred to their owne will, and ſo on *Wenſdaie* laſt in the morninge, the Byſhoppe of *Roſs* and the Lord *Boyde* tooke their waye from hence to *Bolton*. In the meane ſeaſon arrived heare your Highnes lettres addreſſed to me the Duke of *Norfolk*: According to the continue thereof, I moved the Earle of *Murray*, of the Queen of *Scottes* requeaſt made to your Majeſtie for the removinge of the Lord *Seton* and others, her frendes, being priſoners, owt of *Edenborowgh* caſtell; for that the ſame was viſited with ſicknes: Whereunto he anſweared, that thowghe the towne were viſited with the pleague, yet he heard not, but that the caſtell was cleare, and that theare weare of his deareſt frendes within the ſame, ſuche as he loved dearely, which had the cuſtody and charge of the caſtell; nevertheleſſe, if theare weare any danger within the caſtell, he woulde take order willingly to accompliſhe

pliſhe your Grace's pleaſure. We moved alſo the Lord *Herries*, and other his colleagues now beinge heare, for the amplification of their commiſſion, in ſorte as your Majeſtie hathe ſignified by your ſaid letters: Whiche the Byſhoppe of *Roſs*, and the Lord *Boyde*, beinge now returned from *Bolton*, have accompliſhed, and browght with them a new commiſſion of like effect as the other was, (ſavinge that no wordes be added) geavinge them auctoritie, and power to treate, conclude and decerne upon all matteirs and cauſes in controverſie betwene the Queen of *Scottes* and her ſubjects; ſo, alwaies as the ſame do not touche the title of her crowne, nor ſovereignetie thereof. They have alſo now delivered unto us their replication to the anſweare of their adverſe partie, the copie of which replication we ſend herewith to your Majeſtie. And ſo remayninge in continewall expectation of your Majeſtie's anſweare to our laſt letters, without the which we can proceed no further, ſpecially in the triall and treatie of the chief matteir, we beſeche Almightie God to preſerve your royall Majeſtie in longe Lief and good healthe, to ſend the ſame moſt happie and proſperous ſucceſs in all your Hienes affaires, and godlie enterpriſes, in ſorte as may be to the advauncement of his glorie, and for the wealthe, honour and proſperitie of your Majeſtie, your realme and ſubjects.

From your Majeſtie's citie of *Yorke* the 17th of this *October* 1568.

Your Majeſtie's moſt humble,
faithful, and obedient ſubjects,
T. NORFOLKE. T. SUSSEX. R. SADLER.

NUMB. LIX.

The nineteenth day of October 1568.

From the Duke of *Norfolk*'s book of entries.

UPON receipt of the Quene's Majeſtie's letters, her Grace's Commiſſioners called before them, firſte, the Com-

Commiſſioners appointed for the Queen of *Scottes*, to whom they declared that the Quene's Majeſtie's requeaſt was, to have two of either ſide to come up to the court, for that her Majeſtie wold be reſolved by them in certen doubtes, whereupon they might thereafter procede with the more expedition in this treatie; and this was the only cauſe of her Majeſtie's requeaſt in this behalf. They anſwered, that of themſelves they coulde not appointe anye, till they underſtode the Quene their miſtreſs's pleaſure: Notwithſtanding they doubted not, but ſhe wolde be well contented therewithall; and ſo determined to repaire unto her, and to geave the Quene's Majeſtie's Commiſſioners underſtandinge of her pleaſure. The Earle of *Murray* and his colleagues, after they underſtode of the Quene's Majeſtie's pleſure, as above, weare verie willinge and contented to name two for them, to be ſent up to the Courte; and ſo appointed thereupon the Lorde *Lethington*, and Mr. *James Makgill*. And ſo the Quene of *Scottes*, upon underſtandinge of the Quene's Majeſtie's pleaſure, appointed for her the Biſhoppe of *Roſſe*, the Lorde *Herryes*, and the Abbot of *Kylwynnynge*.

NUMB. LX.

A letter from the Queen of England's *Commiſſioners to Sir* William Cecill *Secretary, from* York, October *the 20th*, 1568.

Paper-office. An original.

AFTER our right hearty commendations, theis ſhall be to ſignifie unto you, that upon *Munday* night we receaved the Quene's Majeſtie's letters of the 16th of this preſent, and alſo your letters the next morninge after, with the articles whiche ſhoulde have byne ſent with the ſame; and we have conferred with the *Scottiſhe* Commiſſioners aparte, accordinge to the contynence of her Majeſtie's ſaid letters: And the Erle of *Murray* and his colleagues have agreed

agreed to ſend forthewith to her Majeſtie the Laird of *Lethington*, and Mr. *James Makgill*. And the Erle of *Murray*, alleaginge, that they might perceaſe have ſome occaſion to ſend again to him, before they coulde reſolve with her Majeſtie upon ſome things, whiche may come in queſtion; which, as he ſaid, woulde be a delaye and tracte of time, ſhewed himſelf therefore right willinge to have come himſelf, ſayinge, he had liver go with the firſt, than have occaſion to come at the laſt; ſo as if her Majeſtie's pleaſure ſhal be to have him come thither, we ſee that he will not be unwillinge to accompliſhe the ſame. The other Commiſſioners for the Quene of *Scottes*, upon our conference with them, are all departed hence this daie to *Bolton*, to know her pleaſure in that parte. And as they ſeme to put no doubtes but that ſhe will direct ſome of them from thence to the Quene's Majeſtie, ſo they thinke the Lord *Boyde*, the Lord *Herrys*, and the Abbot of *Kylwynnynge*, ſhall be the men which ſhall come, whereof they have promiſed to advertiſe us to-morrowe. And upon knowledge of the ſame, I Sir *Raffe Sadlier* do intend alſo forthewith to repair thither, accordinge to her Majeſtie's pleaſure, with as muche ſpeade, and makeing as longe journeys as I can endure. I the Duke of *Norfolk* do intend alſo forthewith to repaire unto the borders, and I the Lord Preſident to remaine heare upon my charge. And thus we byd you moſt heartely farewell. From *York* the 20th of this *October* 1568.

Your moſt aſſured lovinge freinds,

T. NORFOLKE. T. SUSSEX. R. SADLER.

NUMB. LXI.

A letter from Knollis *to* Cecill, 20*th* October 1568.

An Original in the *Paper-office*.

THIS morning, as ſoone as I could have acceſſe to this Queene, I declared unto hyr Grace the contents of hyr

hyr Majeſtie's letter of the 16th hereof, according as I was thereby directed: And at the fyrſt ſhe thowght it ſtrange, that hyr Majeſtie wold here the matters hyr ſelffe, bot, ſayth ſhe, I was alwayes deſyrous that my good ſyſter wold here the matters hyrſelffe, and ſhe thowghte that the matters ſhould nowe be ended at the cowrte, and not by order of hyr Majeſtie's Commyſſioners; wherefore, ſhe ſaid, ſhe wolde returne the reſidowe of hyr Comyſſioners that went not to the courte home agayne into *Scotland*. But I ſuppoſed unto hyr, that hyr Majeſtie's meanyng was to have the matters ended by order of hyr Comyſſyoners, according to the firſt appoyntment, and that this ſendyng for ſum of each partie was but for her Majeſtie's inſtruction in certen dowtes, after the reſolutyon wherof, the tedious expence of tyme in ſending to and froe for reſolutions ſhuld ceaſſe, and the matters ſhuld be concluded without ſtoppe or interruption. And then hyr Grace was verye inquyſative of me what ſhuld inſue, whether hyr Majeſtie ment to make a reconciliation between hyr and hyr ſubjects; or whether any other proceedyng was ment, or not? I anſwered, that I knewe not hyr Majeſtie's intent, otherways than that ſhe wold be verye glad to be juſtlye occaſioned to deale honorablye with hyr Grace, to hyr relieffe and comforte: And in proceſs of ſpeache I did conjecture, that ſhe wolde not greatly myſlyke to be offered a maryage of one of the Quene's Majeſtie's nere kynſmen of the mother ſyde; ſo that ſhe cowld lyke of the perſon and qualyty of the man. Preſently this evenyng all this Quene's Comyſſyoners are come hither from *Yorke*, and ſhe bothe appoynted the Byſhoppe of *Roſſe* and my Lord *Herrys* to go up to the cowrte, and to take theyr jorney hence yn poſte upon *Saterdaye* next. The Abbot of *Kylwennyng* alſo goeth upp with theym, but he maks ſemblance to goe to the Duke of *Chatillerowe*, and not as Comyſſyoner.

This daye I ſuffered Docter *Marſhall*'s man to depart hence, injoynyng hym, upon his allegiance, to preſent hymſelff to yowe before he ſholde repayre to his ſayd maſter, becawſe he was not hable to fynde ſureties, the fellowe is motche

devoted to his maſter; wherefore I ſtayde hyme here, untyll I thowght Mr. *Morton* was arryved with his maſter at the cowrte, to avoyde practiſes in the waye.

It ſeems that the Comyſſyoners of that Quene that go not to the cowrte, ſhall lynger here ſavyng the Lord *Boyde* and the Lord *Skarlyng*, which, I thynk, will returne into *Scotland* forthwith.

Thus, with my moſt hartie comendations, I ſhall comytt you to God.

Yours aſſured,

From *Bolton*, F. KNOLLYS.
the 20th *October* 1568,
late in the night.

NUMB. LXII.

A letter from Queen Mary *to Queen* Elizabeth, *the 22d of* October 1568.

An Original. *Cotton. lib. Cal. C.* I. *fol.* 215.

RICHT heich, richt excellent and michtie Princes, our derreſt gud ſiſter and couſignes, eftir our moſt hertlie commendatiounis: It is weill knawin to zow the inobedience of certaine our ſubjectis agains us; and we, being maiſt aſſurit of your tender luffe and ayde, was movit to cum in this zour realme, to lament our caus and haif zour ſupport, haifing gud experience of the greit care and ſollicitude taikin be zow for our honour and caus, quhairthrow ze haif addettit us unto zou, deſyring God we may acquyt the ſamyn; not doubting in him be zour gud help now to haif the moyen ſwa to do. We haif, as ze thocht gude, cauſit certane of our counſale repair at *Zork* to the Lordis zour Commiſſionaris, and haifing declarit unto thame, in our behalf, ane part of the wrangis quhilk we haif ſuſtenit; and, upon thair inventit anſwer, gaif ane trew declaratioun, quhilk we beleif are cum in zour handis: We underſtand

it

it is zour pleasour ane part of thame sall repair to zow, quhairof we ar richt glaid; assurand our self it is now in the handis in the warld whair we maist desyrit. And sen ze, gud sister, knawis our cans best, we doubt not to resaif presentlie gud end thairof; quhairthrow we may be perpetually addettit unto zow. And for satisfeing zour desyre in our behalf, gif forder declaratioun shall neid, we haif send our beloyit and traist counsalouris, the Bishop of *Ross* and my Lord *Hereis*, to await upon zour pleasour and commandement.

And albeit, derrest sister, we be heir weill treatit, zit in consideratioun of the greit inquyetnes throw our haill realme, be the unnatural behaviour and inobedience of our subjectis, we will pray zow maist effectuillie, that we may knaw zour gud pleasour in ending thir our lang trublis. And swa richt heich, richt excellent and michtie Princes, our derrest sister and cousignes, we pray God to send zow long and prosperous lyfe. At *Bowtoun*, the 22d of *October* 1568.

Zour richt gud sister and cousignes,

MARIE R.

NUMB. LXIII.

Proceedings in council at Hampton-court, 30 Octobris 1568.

From *Cecill*'s papers, *pag.* 487.

Lord KEFER.
Lord STUARD.
Earl LEICESTRE.
Lord ADMYRAL.
Lord CHAMBERLAYN.
W. CECILL, *Secretary.*
Sir R. SADLER, *Ch. Du.*

IT was thought mete that the Bishop of *Ross*, and the Lord *Harriss*, being sent from the Quene of *Scotts*, shuld have first acces to hir Majesty; and after them *Lyddyngton* and *Macgill*.

That the Quene's Majesty should shew to the first, how desyrous she was to have some good end, and therfor ment to have conference with them to resolve hir of certen difficulties, which did arise betwixt both parteyes, upon the sight of ther complaynt, and the other's answer and ther reply.

That therupon they should be in a generalitie required to know, whyther they wer not so informed and authorised, as if hir Majestie should cause the difficulties to be collected and propounded to them, as they might answer and satisfy hir Majesty.

Nota, That this general manner of talk with them is meetest to move them to confess ther authoritie; lest, if they should perceave that the matters wherewith ther Quene might be charged for the murdre of hir husband, should be objected to them, they wold declyne the treaty therof, and pretend that they have no commission, but only to maynteane the matters conteyned in ther complaynt and replycation.

The other two persons comming from the Erle of *Murraye*, would be demanded how they can answer such matters, as are conteyned in the replycation of the Quene's part. And next, why they doo forbeare in ther answer to chardge the Quene with the giltyness of the murdre, consideryng, ther part have allweis gyven it out to the world that she is gilty.

If they will in the end be content to show sufficient matter to prove hir gilty, so as they may be certenly assured, that, after that proved, they shall not be made subject to hir indignation; it is thought good for many respects, that they should be assured, if it may certenly and manifestly appeare to hir Majesty and hir counsell, that the said Quene was gilty of the murdre of hir husband, that then hir Majesty will never restore hir to the crown of *Scotland*, nor permit hir to be restored, without suche assurances as they shall allow to be good for them; but will make it manifest to the world what she thynketh of the cause.

And because this manner of procedyng cannot be so secretly used, but the knolledg therof will by some meanes

come

come to the Quene of *Scotts:* It is thought moſt neceſſary afore all things, that ſhe be circumſpectly looked unto for dout of eſcaping; joyning therewith the advertiſements out of *France* of hir frends reports ſecretly, that it is determyned how ſhe ſhuld eſcape now about this time; and alſo how ſhe hath preſently wrytten to the Erles of *Huntly* and *Argille*, and the reſt of her frendes, to draw towardes the weſt borders of *England*, to receave hir into hir country; pretendyng outwardly, that, by the Quene's Majeſty's favour, ſhe ſhall be ſpedely delyvered: And therefor it is thought good, that all preparation be haſtened for hir removing to *Tuthury*.

Item, Conſideryng the weightenes of this matter is ſuch, as none the lyke hath come in conſideration during hir Majeſty's reign; and that as well all other Princes have an expectation of the handling and determination herof, as the whole ſtates of this realme; and that in ſuch weighty cauſes it hath bene alweiſs thought mete, that the Kings of this realme ſhuld uſe the adviſe of the principal ſtates of the realme, whereby the end and determination therof have bene allowed by them, and ſo accepted by the realme: It is alſo in this caſe thought neceſſary, that, at the leaſt, the Lords that are of hir Majeſty's privie counſell, other the Erles alſo, ſhuld be called to heare and gyve ther adviſe in the ſame. And therfor it is thought good, that as ſoone as the Erle of *Murray*'s Meſſengers ſhall agree to ſhow and make proof of the Quene of *Scotts* giltineſs for the murdre of hir husband, that the reſt of the counſell abſent be ſent for; as the Duke of *Norfolk*, Sir *W. Petre*, the Lord Treſorer, the Marquiſs of *Northampton*, Sir *Walter Mildmay*, the Erle of *Arundell*, the Erle of *Darby*.

And of the other Peres of the realme, that the Erles of *Northumberland*, *Weſtmorland*, *Shrewsbury*, *Worceſtre*, *Suſſex* and *Huntyngton*, ſhuld be alſo ſent for.

And at the hearing of the matter, it is thought very conſonant, that the Archbiſhop of *Cantyrbury*, and the Biſhop of *London* were alſo preſent.

Item, It is thought mete that no manner of opinion, conçern-

cerning the chargyng of the ſaid Quene of *Scotts*, be uttered or pronounced, untill hir Majeſty ſhall have had the adviſe and opinions both of hir counſell, and of ſuch other of hir ſtates, as ſhe ſhall pleaſe to confer withall.

Item, After that the meſſengers of *Scotland* ſhall have ſhewed their proves, and that hir Majeſty ſhall fynd a probabilitie in the ſame: Becauſe the full hearyng and endyng herof can not be had ſo ſpedely as were requiſit, by reaſon of the abſence of the Nobilitie that ſhall be called; it is thought good that the Erle of *Murray* ſhuld be licenſed to repayre home, both for avoydyng of his gret charges, and for to ſtay the troobles and attempts that may be moved in *Scotland*.

Queſtions.

31ſt *October*, If the Quene of *Scotts* will not grant commiſſion to have hir cauſe fully hard, what ſhall be doone?

If ſhe will have it hard, whyther ſhall ſhe not perſonally underſtand wherwith ſhe is charged? And if any of the eſtates of the realme, that ſhall be called to here the matter, ſhall require to heare hir ſelf ſpeke and anſwer, whyther they ſhall be thereto permitted?

It were mete in this cauſe to have ſome forme obſerved of the procedyng by ſome expert perſon in the Civil Law.

NUMB. LXIV.

The commiſſioun ſent for the Queen's Majeſty of Scotland, *with the tenor of her Grace's miſſive letter ſent therewith, to cauſe diſcharge the conference, in caſe preſence be not grantit.*

From Q. *Marie*'s Regiſter. *Cott. lib. Titus, C.* 12.

MARIE, by the grace of God, Queen of *Scottis*, and dowariar of *France*, To our traiſt and well belovit couſigns and Counſellaris, *John* Biſhop of *Roſs*, *Robert* Lord *Boyd*,

Boyd, *John* Lord *Herreis*, and *Gavin* Commendatar of *Kilwinning*;

Forſameikle as we being troublit be certain our diſobedient ſubjects within our own realme of *Scotland*, haveing maiſt ſuir and traiſt confidence in our maiſt derreſt ſiſter and tender couſigne the Quene of *Ingland*, did ſeek unto hir for ſupport aganis our rebells, wha gladly and willingly acceptit our cauſe upon her, promiſing to us to take ſic labours, as to pacify our hail troublis, and to make ane gude appointment between us and our ſubjectis, and reduce them to thair natural obedience, to recognoſce us as thair Soverain, reſtoring us to our realme, autoritie and eſtate; we always extending our clemency towards them by the ſight and conſideration of our derreſt ſiſter: And for this cauſe there was a meeting of certain Noblemen, our Commiſſionaris, at *York*, with our ſaid derreſt ſiſter's Commiſſionaris of *Ingland*, who did convene with thame: And our diſobedient ſubjectis being requirit of the cauſis of their diſobedience and rebellion, alledgit ſome reſſonis, excuſing and colouring their unnatural fact; and becauſe the ſaid conference was appointit only for making of ane pacification betwixt us and our ſaid ſubjectis, and reſtoreing of us to our realme, auctority, and government thairof, ſua as we may live in honor in the eſtate quhilk God has called us unto, and they to do thair debtful obedience unto us:

Thairfoir we, being placit be God as heid unto them, tends yet to do the office of a loveing mother to our ſubjectis; and knawing that we man remain as heid unto them, and all our ſubjectis, and thay ar members of one body, it cannot ſeem fit nor convenient to ſtand in preſence of ane forraign judgment, to accuſe them; and much more to be accuſed by them, they being offendaris; for quhair ſic rigorous and extreme dealings happin, na love nor aſſurit reconciliatioun may be had or attainit thairefter. And as it is not unknown to us, how hurtful and prejudicial it ſall be to us, our poſteritie and realme, to enter in forraign judgment, or arbitrement, befoir the Quene our good ſiſter, her counſal or Commiſſionaris, either for our eſtate, crown, dignity

dignity or honor; we will and command you heirfoir, that ye twa, or any one of you, paſs to the preſence of our ſaid derreſt ſiſter, her counſal and Commiſſionaris, and thair, in our name, for pleſour of our derreſt ſiſter, to extend our clemency toward our diſobedient ſubjectis, and give them appointment for their offencis committit againſt us and our realme, be her advice and counſall, quhairthrow they may live in time coming in furty under us their heid, according as God has callit us; providing that in the ſaid appointment we be not hurt in our honor, eſtate, crown, title nor authority in any ſort, quhilks in no ways we will refer to ony Prince on earth. And in cais thay will otherwiſe proceid, then we will and command you, and every one of you, to diſſolve this preſent diet and negotiatioun, and proceid na farther thereintill, for the cauſes forſaid. And ſo to do we give you, or any two or ane of you, our full power. In witneſs of the quhilks we have ſubſcrivit thir preſents with our hand, and has affixit our ſignet hereto, at *Bolton*, the 22d day of *November* 1568, and of our reign the 26th zeir.

MARIE R.

NUMB. LXV.

The commiſſion. Ibid.

TRAIST couſignis and Counſellaris, we greit you weill. Forſameikle as we have reſſavit your letteris, and underſtand thairby the anſwer of the Quene our gud ſiſter, concerning certain points we have proponit to hir, be the quhilk we conſider, that the mair we travel with hir, the leſs is ſcho mindit to ſupport and favour us; wherefoir knawing that the Nobilitie of this realme are to aſſemble, and the matter may be proponit in publick, we are reſolute, conſidering the matter that was ſpoken and promiſit, that during this conference the Erle of *Murray*, principal of our rebels, ſuld not come in the preſence of the Quene our gud ſiſter, mair

mair nor we; but be the contrair, he being reſſavit and welcomet unto hir, and we, an free Princeſs, not haveing acceſs to anſwer for our ſelves, as he and his complicees; thinks therefoir ye can proceid na farther in this conference; for ther may be ſome heids proponit quhairto you can not anſwer of your ſelfis, unleſs we were there in proper perſoun, to give anſwer to the calumnies quhilk may come in queſtion aganis us, ſwa that partiality appeirs to be uſit manifeſtly: Hereſoir ye ſhall afore our ſiſter, hir Nobilitie, and the hail Ambaſſadors of ſtrange countries, deſire, in our name, that we may be licencit to come in proper perſoun afore them all, to anſwer to that quhilk may or can be proponit and alledgit againſt us by the calumnies of our rebels, ſen thay have free acceſs to accuſe us; otherwiſe ye ſhall proteſt, that, for the ſaids conſideratiounis, all quhilk they can or may do aganis us, ſhall be null, and of na prejudice to us hereafter: And ſeing the matter to be of ſa greit weight, it wuld be guid and honeſt, for our ſecurity, and the reputation of the Quene our guid ſiſter, that at the leiſt ther were as great reſpect born unto us, as to our adverſaries, wha are our rebellious ſubjectis, tending to the uſurpation of our crown and authority; albeit ſen the beginning and progreſs of this negotiatioun, by evident tokenis it may be found, that our rebels have ever been mayntainit aganis us and our trew ſubjectis; and of all that has been promiſit to us, there has little been keipt, quhairof you may hald our ſiſter in remembrance. Amangis the reſt, there are thré pointis to be noted, 1. We being cumit in hir realme, on aſſurance of hir amitie promiſit to us in all our neceſſities, quhilk has ſo well been obſervit, that as zit we have not ſeen any demonſtratioun ſhawin to reſtoir us into our own realme and authority, quhilk, of our own fré will, we came to ſeek a ſupport thereto, but alſua has ever denyit us hir preſence; and, inſtead of the gude treatment and ſupport we hoped for, we have found us priſoner, ever ſtraiter and ſtraiter kept from liberty, and yet intending to tranſport us herefra in mair ſtrait keeping, quhair we ſhall be under the protectioun of our enemies, who ſeek only our

destruction. 2. The maintenance that our rebels has had is too manifest. Contrair that quhilk our gude sister promisit to us by hir letter of the 10th of *August* 1568. They held ane parliament, where there was an act made, that it should be leisum to dispone on our hail jewels at their plesour, and in another they forfeited ane greit number of our faithful subjectis, as instantly they make execution of the same to all extremity and rigour; howbeit, at our said sister's request, we had dischargit our said subjectis from their armour and hostility, being reddy to have stopit the said parliament, notwithstanding the said rebels desistit not, for ony respect of the promise made anent the present conference, to pursue and reif our faithful subjectis, invadeing them by all means, molesting vivers and victuals to pas to our castle of *Dunbarton*, and takeing uther strengths, in warlike manner, to persue their interprisis aganis our said house. Quhilks wrangis will be na langer endurit by our said subjectis, seing the maintenance thairof sa manifest, as appears in ane manner by ane letter by our sister to the Earl of *Murray* the 20th of *September*, quhairof ye have an copie, like to many uthers spread through all our realme. Finally at *York*, our said rebels being vanquisht in all that thay alledgit, and seing the matter to be concludit to their disadvantage, stayed the proceeding thereof farder. And now is it taken further from us, quhair we cannot have the commodity to communicate, and give hasty information to you our Commissionaris, of sic doubts as may occur, as we did at the conference at *York*, quhilk thay perceivit to their disadvantage.

And now the said Erle of *Murray* being permittit to come in his presence, quhilk gif the like be not grantit us, as is resonabill, and zit our sister will condemn us in our absence, not haveing place to answer for ourself, as justice requires, in consideration of the premissis ye shall brek your conference, and proceid na further therin, but take your leive and cum away. And gif our sister will alledge, that at the beginning we were content our causis should have been conferrit on by Commissioners, it is of verity. But sen our rebels, and principals thairof, have free acces to-

wards

wards hir, to accuſe us in hir preſence, and the ſame denyit unto us, quhairthrow perſonally we may declair our innocence, and anſwer to their calumnies, beand haldin as priſoner from hir preſence, tranſportit fra place to place as priſoner, cuming into hir realme of our fré will to ſeek hir ſupport and natural amitie, we have tane ſic reſolution, that we will nothing to be further conferrit on, except we be preſent afore her, as the ſaid rebels. To the reſt, gif our gude ſiſter will conſider our cauſe juſtly, putting partiality aſide, that unjuſtly the ſaid rebels impriſonit us, and reft us of our fortreſſes, artillery, munitionis, ſtores, and reft our hail rich jewels from us, require hir, in the preſence of all the ſtrange Ambaſſadors, and Nobility of her realme, that we may have the ſaid rebels ſtayit and arreſtit, wha are under hir powar; and in ſa far as we ſhall preif againſt them, that falſely, malicioufly, and traterouſly thay have attemptit againſt our proper honor, quhairof we deſire reparation.

And ye, my Lord *Herris*, we pray you in all thingis forſaid to employ yourſelf, and follow our intention with ſuch dexterity as you can very well uſe; and to add heirto, as ye ſhall think neceſſar, following the knawledge quhilk ye have of the premiſſis and proceedings bypaſt, quhairin ye travellit in the maiſt part thairof. Swa committing yow to the protectioun of God Almighty, *&c.* Off *Bolton*, the 22d day of *November* 1568.

MARIE R.

NUMB. LXVI.

From Queen *Marie*'s Regiſter, *Cott. lib. Titus, C.* 12.

Upon Tueſday *the* 23*d of* November 1568, *at* Hampton-court.

THE quhilk day the ſaidis Commiſſionaris for the Quenis Majeſtie of *Scotland* paſt to the preſence of the Quenis Hienes of *Ingland*, an nobill and mightie Prince *James* Duke

of *Chaſtelherault*, Erle of *Arran* and Lord *Hamiltoun*, being alſo preſent, and declarit unto hir Hienes, that forſamekill as thay wer deſirit be Sir *Ralf Sadler*, in hir Majeſtie's name, to paſs to *Weſtminſter*, and thair begin the conference left at *York* with her Grace's Commiſſionaris; that thay underſtuid that place to be judicial, quhair cauſis civil and criminal uſit to be treatit, and thairfoir it might be prejudicial to thair Soverane to enter in ony judicial place, in reſpect ſcho is ane fré Princeſs, having imperial crown, ſubject to na uther is: And that hir Hienes alſo, be ſpecial writingis ſent to the Quenis Majeſtie thair Soverane, of the dait the threttie day of *Junii*, *Anno* 1568, did aſſure hir, that your Grace wald not tak upon hir to deal as judge in thair ſaid Soveranis cauſis, nor zit proceid judiciallie, nor that thair Soverane ſould be cauſit to anſwer to hir rebellis in ony ſort, quhilk hir Hienes thocht nather meit nor convenient that hir Grace, or ony Prince, ſould do at the inſtance and deſire of thair ſubjectis; bot onlie to ſatisfie hir Majeſtie's ſelf, and ony uther nobill perſonages quhom hir Hienes ſould appoint thairto, be the declaratioun of hir innocence, to the effect hir Majeſtie might teſtifie the ſamin over all. In conſideratioun of the quhilkis, thay deſirit, that the ſaid conference ſould not be maid in ony judicial place, or judiciallie; and als thay declarit, that thay wald mak proteſtatiounis or thay enterit in conference, to the effect abone writtin, and that thair procedingis ſould not be prejudicial to thair Soveranis honor, eſtait nor crown; and thairfoir, that it would be hir Hienes pleaſour to give command to hir Grace's Commiſſionaris to admit the ſamin. And ſiclike deſirit, that ſince the Erle of *Murray*, the principal of hir diſobedient ſubjectis, and utheris his adherentis, had gottin alreddie preſence of hir Majeſtie, and had bene admittit to calumpniat thair Soveranis honour; that thairfoir hir Majeſtie wald grant to thair Soverane to cum in proper perſoun to the preſence of hir Hienes and the Nobilitie of this realme, thair to declair hir innocence toward the falſe inventit calumnies of hir Grace's rebellis and diſobedient ſubjectis, ſince equitie and reſſoun requireth the ſamin, ſcho being ane fré Princes,

and

and cum into this realme on the truſt and confidence ſcho had in hir Grace, hir gude ſiſter and nerreſt couſignes in the warld.

To the quhilkis the Quenis Majeſtie of *Ingland* anſwerit, That ſcho wald not tak upon hir to be judge, nor zit prejudge thair ſoveranis honour in na ſort, nor proceid judicialie. And as to the place, the ſamin was appointit in ane chalmer quhair never zit judgement was heard. Bot as to their Soveranis preſence, ſcho could not gudlie admit the ſamin, until hir cauſis were tryed and endit.

NUMB. LXVII.

The conferences at *Weſtminſter* and *Hampton-court*.

Commiſſion by the Queen of England *to the Lord keeper, the Duke of* Norfolk *and others, to treat with the Commiſſioners of* Scotland.

A copy.

ELIZABETH, by the grace of God, Quene of *England, France* and *Ireland*, Defender of the Faith, *&c.* To all manner of perſons to whoſe knowledge theis preſents ſhall come, greeting. Whereas heretofore upon ſundry requeſts made unto us by our good ſiſter and couzine *Marie* the Quene of *Scotts*, we did make, conſtitute and ordeine, by our letters patents under our great ſeale of *England*, bearing date the 20th day of *September* laſt, our right truſtie and right entirely beloved couſine and Counſaylor *Thomas* Duke of *Norfolk*, and our right truſtie and right wellbeloved couſine and Counſaylor *Thomas* Earle of *Suſſex*, and our truſtie and right wellbeloved Counſaylor Sir *Ralph Sadler*, Knight, to be our Commiſſioners and deputies ſpeciall, with authoritie to commun, treate, and conclude with our ſaid ſiſter or her Commiſſioners, and alſo with *James* Erle

Erle of *Murray* and others coming with him, in the name of the Prince, ſonne of our ſaid ſiſter, howſoever he ſhould be named, Kinge or Prince of *Scotlande*, upon all manner of controverſies, matters and debates, betwixt the ſaid Quene and any other perſon of the realme of *Scotland* adheareinge to her ſaid ſonne, and upon ſondry other ſeveral matters, as at more large are conteyned, and may appeare in our ſaid commiſſion: We underſtanding and well perceaveing, that our ſaid Commiſſioners have already entred into treaty with the Commiſſioners of the ſaid Quene, and alſo with the ſaid Erle of *Murray* and others joyned with him, at our citty of *York*, and finding that the cauſes and matters deduced upon the ſaid treatye there begun, be of that nature and moment, as that they cannot conveniently, reaſonably and ſpeedely, be farther deduced to good and certane end, without frequent anſweres and reſolutions to be had from us, beinge here in place farre diſtant from our ſaid citty of *York*, wherby much tyme ſhould be ſpent, and the matters not ſo certainely reſolved: And knoweinge alſo the former deſire of our ſaid ſiſter to have her cauſes heard and treated upon, either by our owne ſelf, or as neere to our preſence as might conveniently be; for ſatisfaction of her deſire therein, and to the intent her ſaid cauſes might be both favourably, ſpedely, and reſolutely heard, ordered, and determined according to the ſincerítye, truthe, and juſtice thereof; upon good adviſe and deliberation, we have made, conſtituted, nominated, and ordeyned, and by theis preſents do make, conſtitute, nominate, and ordeyne our truſtie and well beloved Counſaylor Sir *Nicholas Bacon*, Knight, Keeper of our Great Seal of *Englande*; our right truſtie and right entirely beloved cozen and Counſaylor *Thomas* Duke of *Norfolk*, Earle Marſhall of our realme of *Englande*; and our right truſtie and right well beloved cozens and Counſaylors *Henry* Earle of *Arundell*, *Thomas* Earle of *Suſſex*, and *Robert* Earle of *Leyceſter*; and our truſtie and well beloved Counſaylor *Edward* Lord *Clinton* and *Saye* our Admirall; and our truſtie and right well beloved Counſaylors Sir *William Cecill* Knight, our principall Secretary, and Sir *Ralph Sadler* Knight, Chancellor

cellor of our Duchie of *Lancaſter*, our Commiſſioners and ſpeciall deputyes, giveinge, grauntinge, and committing to them eight, ſeaven, or five of them, full power, authoritie, expres chardge and commandement generall and ſpeciall, for us and in our name to heare, commun, treate, order, and conclude, at our citty of *Weſtminſter* nere *London*, or any other place nere our ſaid citty of *London*, or elſewhere, in any place in our realme of *England*, with the Commiſſioners and deputies of our ſaid ſiſter the Quene of *Scotts*; and alſo with the ſaid Earle of *Murray*, and all others authoriſed with him in commiſſion by and in the name of the ſaid Prince of *Scotts*, (beinge named or intitled either Kinge or Prince of *Scotland*) upon all manner of hoſtilities, differences, queſtions, matters, complaints, debates and contentions, of what nature ſoever the ſame be, have bene or ſhall be, betwixt the ſaid Quene and any of the ſubjects of the realme of *Scotland* on the one parte, and the ſaid Earle of *Murray*, or any other perſon or perſons adheareinge to the ſaid Prince her ſone on th'other parte: And alſo upon any other cauſe or matter dependinge undecided, and not ended fully betwixt our ſaid ſiſter and us, or betwixt any of our ſubjects on eyther parte; or for the further confirmation, reformation, or augmentation of any treatye of peace heretofore intended, made or concluded; or for the contractinge or eſtabliſhing of any newe treatye, and confederation for increaſe of amitye, peace and concord, not onely betwixt our ſaid ſiſter and us, but betwixt our realmes, people and ſubjects: And generally to doe and conclude all things which ſhall ſeme mete and neceſſary for the premiſſes, or for any parte thereof; promiſeinge in the faith and word of a Queene, that we will confirme, ratifie, and allowe all and ſingular things which ſhall be concluded, enacted, and capitulated by our ſaid Commiſſioners. In witneſs whereof to theis our letters patents, ſigned with our owne hand, we have cauſed to be ſet our Great Seale of *England*. Given at our honour of *Hampton-courte*, the 24th day of *November* 1568, in the 11th year of our raigne.

NUMB.

NUMB. LXVIII.

The journal or firſt ſeſſion of the Commiſſioners at *Weſtminſter, die Jovis* 25. *Novemb.* 1568.

Cott. lib. Cal. C. 1. *& Tit. C.* 12.

INTITULED,

A memorial of thingis paſſed this preſent day in the great chamber, anciently called camera depicta, *next upon the north ſide to the parliament chamber* Weſtminſter.

THE Quene's Majeſtie's Commiſſioners, that is to ſay, Sir *Nicholas Bacon* Knight, Lord Keeper of the Great Seale of *England*, *Thomas* Duke of *Norfolk*, Erle Marſhall of *England*, *Thomas* Erle of *Suſſex*, *Robert* Erle of *Leyceſter*, *Edward* Lord *Clynton* and *Saye*, &c. Sir *William Cecill* Knight, *&c.* and Sir *Ralphe Sadler* Knight, *&c.* beinge aſſembled as her Majeſtie's Commiſſioners and Counſaylors, and ſittinge in the ſaid chamber at a long table, beinge a table of counſel, declared to *John* Biſhop of *Roſſe*, *Robert* Lord *Boyd*, *John* Lord *Herries*, and *Gawin* Commendator of *Kylwynninge*, being ſent by the Quene of *Scots* to the Quene's Majeſtie, and preſently ſittinge at the ſame table, that her Majeſtie had given them commiſſion to treate with the ſaid Biſhop of *Roſſe* and the other perſons, ſo being ſent by the ſaid Quene of *Scots*, upon ſuch differences as wear betwixt her on the one parte, and the Erle of *Murray*, and others with him, on the behalf of the ſaid Quene's ſonne, on the other parte: Which commiſſion the ſaid Lord Keeper did there ſhewe furth in writinge, ſubſcribed by her Majeſtie, and ſealed with the greit Seal of *England* in grene waxe, bearing

bearing date the 24th of this preſent moneth of *November*; which commiſſion was redd in preſence and hearinge of the ſaid Lords of *Scotland*, as the tenor hereof enſueth, *Elizabeth, &c. ut ſupra, pag.* 189.

Which beinge done, the ſaid Biſhop of *Roſſe*, and the others with him, in the behalf of the ſaid Quene of *Scots*, beinge demanded howe they did allowe therof, and what commiſſion they had, anſweared, that they did well lyke and approve the ſaid commiſſion, and produced furth a commiſſion written in parchment, and ſigned by the ſaid Quene of *Scots*, and ſealed with her ſignet, bearing date the penult day of *September* laſt, in form following: *Marie, &c. ut ſupra, pag.* 118.

Which commiſſion being alſo redd, the ſaid Biſhop of *Roſſe* alledged, that the cauſe why the ſaid commiſſion was ſealed only with hir ſignet, was for that ſhe lacked a greit ſeale ſince her ejection from her crowne. And after that he requyred, before any treatye ſhould be entred by virtue of th'afforeſaid commiſſions, he and his collegues might firſt make a proteſtation; which he having reddy in writing, did produce, read, and afterward ſubſcribed the ſame; the tenor wherof followeth:

NUMB. LXIX.

The propoſitioun maid be the Biſhop of Roſs, *in name of the Quenis Hienes Commiſſionaris of* Scotland, *in preſence of the Quene of* Inglandis *Commiſſionaris, at* Weſtminſter *the 25th day of* November MDLXVIII. *befoir thay enterit in conference.*

From Q. *Marie's* Regiſter. *Cott. lib. Titus, C.* 12.

PLEIS your honouris, we ar cummit to the Quenis Majeſtie of this realme, Commiſſionaris ſent from the Quenis Hienes of *Scotland*, our Soverane Lady and maiſtres, to declair and lament the heavie and unjuſt dealing of certain

tain hir disobedient subjectis, quhome scho hes, of hir liberalitie, promotit to heigh honouris and profits; and they, upon thair awin former evil deservingis, feiring hir Grace wald revocat and withdraw hir liberalitie and patrimonie, with the quhilk they are possest, have tane upon thame maist wrangouslie, and aganis the dewtie of all gude subjectis, that ever hes bein before heard of, (quha ar but ane sobir part of the subjectis of hir Grace's realme, in respect that before the greitteſt of thame thair is anghtein that hes voit and place in parliament) to put hand in hir most nobill persoun, rigorouslie imprisoning the samin, corrupting the keparit of hir castellis, quha tressonablie delyverit thame in thair handis, with all hir jewallis, pose and munition; and hes usurpit most maliciouslie, tressonablie and unjustlie, hir Hienes supreme authoritie; quhairunto they can have na just titill ather be law of God nor man. And also for cullouring of thair wickit and tressonabill procedingis, and to detein thair usurpit authoritie, possessing wrangouslie hir Hienes substance and hir liell subjectis, hes calumniouslie and unjustlie sklandirit hir maist nobill and renownit honour, as sall be knawn to all Christian Princes.

My Lordis, thir thair unressonabill procedingis hes causit the Quenis Hienes our Soverane cum into this realme, to desyre of the Quenis Majestie, hir derrest sister, and in bluid narrest cousignes in the world, (thair promises of amitie and assistance sa effectuuslie affirmit) favouris and support, that scho may peciablie injoy hir awin realme, according to Goddis calling, and that hir Grace's rebellious subjectis may recognosce thair debtfull obedience. And the Quenis Majestie of this realme, takand upon hir Hienes our maistres's cawses to be dressit to hir weill and honour, desyrit his to desist fra seiking of all support of ony other Princes, quhilk hir Hienes willinglie obeyit upon the affirit confidence and promises confirmit and past betwix thame befoir: Hir Majestie heirfoir, movit of godlie zeill, thought best our Soverane's cawses sould be sett fordward be conference, and appoyntment to be gevin to hir disobedient subjectis, rather nor be force of armis, desyrit the Quenis Majestie our Soverane

yeraine to ſend hir Grace's Commiſſionaris, to confer with ſic Nobillmen as pleiſit hir Majeſtie to appoynt thairto.

And ſeing your Grace and honouris ar appoyntit be the Quenis Majeſtie zour Soverane, to this effect, we ar reddie, conform to our commiſſioun, to enter in the conference on the premiſſis; provyding alwayis, and ſolemnitlie proteſting, we nather enter in judicial place, nor ar to proceid any manner of way in form of judgement, or before ony judge or judges, but as Commiſſionaris and Ambaſſadouris of a frē Princes with an imperial crown, to confer with zour honours as Commiſſionaris to the Quenis Majeſtie of this realme, in form of treattie allanerlie: Quhairupon we have formit ane proteſtatioun, quhilk it will pleis zour honours to reſſave, and admit the ſamin, befoir we enter in ony farther conference.

And ſwa preſentit this proteſtatioun in write, ſubſcryvit with thair hands.:

NUMB. LXX.

The proteſtatioun maid be the Quenis Majeſtie's Commiſſionaris of Scotland, *at* Weſtminſter *the* 25*th day of* November, *the zeir of God* 1568 *zeirs.*

An Original. *Cotton. lib. Cal. C.* 1. *fol.* 225.

THE Commiſſionaris for the Quenis Highnes of *Scotland*, adheirand to thair former proteſtatioun maid at *York*, declarit in preſens of the Quenis Majeſtie's Commiſſionaris of *England* before thay enterit in conference, That althocht the Quenis Highnes thair Soveraine be beſt contentit that hir cauſes, preſentlie diſtant betwixt hir Grace and hir diſobedient ſubjectis, be conſiderit and dreſſit to her Grace's honour and weill, be the advyſe of her derreſt ſiſter and couſignes the Quenis Majeſtie of *Ingland*, or her Grace's Commiſſionaris authoriſed thairto, before all utheris, zit nevertheleſs thay have ſolemnitlie proteſtit, thay conſent in

na wayis to enter in sik sort, that thair Sovereignis cauſis in this conference ſhall be treated in forme of judgment, or in judicial place, conform to the Quenis Majeſtie of *Inglandis* mynd, declarit by her Highnes letteris to thair ſaid Sovrane; nor yet will admit any juge or juges thairto, in reſpect ſhe is ane frie Princes with ane imperiall crown gevin hir of God; bot are content to conſer, treate, and conclude in sik thingis as ar contenit in thair Commiſſioun, with the Quenis Majeſtie's Commiſſionaris of *Ingland*, without prejudice of the Quene thair Sovereignis maiſt royall perſon, crowne, eſtait and honour; and deſyris the ſame to be admittit and inſert in the conference quhilk thay are to make with the ſaids Quenis Highnes Commiſſionaris, and sicklyke in ony indent or appunctment quhilk ſall happin to be aggreit and concludit upon betwyx thame.

JO. ROSSEN. HERRYS.
BOYD. KILWYNNING.

After which done, the ſaid Commiſſionaris of the ſaid Quene of *Scotts* withdrewe themſelves from that place into an inner litle chamber, and the Erle of *Murray*, the Erle of *Morton*, the Biſhop of *Orkney*, the Commendator of *Dunfermlin* and the Lord *Linſay*, Commiſſionaris in the name of the ſone of the ſaid Quene of *Scotts*, entituled by them *James* Kinge of *Scotland*, came into the ſame gret chamber, and were, in like manner as the others, informed by the ſaid Lord keeper of the commiſſion graunted by the Quene's Majeſtie unto him and his colleagues, of the tenor above mentioned: Which being alſo redd to the ſaid Erle of *Murray* and his colleagues, was by them allowed and accepted, and a commiſſion ſealled with the greite Seale of *Scotland* in yellowe wax, in the name of *James* Kinge of *Scotts*, was by them produced and redd before the Quene's Majeſtie's Commiſſionaris; the tenor wherof followeth, *James*, &c. *ut ſupra, pag.* 119.

After this done, th'aforeſaid Biſhop of *Roſſe* and his colleagues were called before the Quene's Majeſtie's Commiſſionaris aforeſaid, where, in preſence boeth of the ſaid Biſhop

ſhop and his colleagues, and alſo of the ſaid Erle of *Murray* and his colleagues, the Lord Keeper of the greate Seale, in the name of the reſt, declared to them the Quene's Majeſtie's ſinceritie and good meaninge for the treatie hereof, haveinge ſtraightly charged them her Commiſſionaris in this weightie cauſe, to deall plainely, ſincerelie, uprightlie and directly; Which chardge they meant to their uttermoſt to obſerve and kepe. And therefore, wheras the Duke of *Norfolk*, the Erle of *Suſſex*, and Sir *Ralphe Sadler*, which being now hir Majeſtie's Commiſſionaris (as before alſo thay were hir Commiſſionaris at *York*) did take a corporal oath to execute their commiſſion ſincerely and truely; and in like manner the ſaid Commiſſionaris, boeth on the parte of the Quene of *Scotts*, and of hir ſonne entituled the Kinge of *Scotts*, did alſo take their ſeverall corporal oaths at the ſame cittie of *York*, for execution of their commiſſions; ſo as it was thought mete that the like oaths ſhould be upon all three parts now taken and yeldid: To which motioun the Quene of *Scotts* Commiſſionaris required licenſe of advice; and ſo after they had withdrawen themſelves a ſmall while they returned, ſaying, that before they ſhold give their oaths, which they did not any wiſe miſlike to take, they wold gladly have anſweare to their proteſtatioun. Wherupon the Erle of *Murray* and his colleagues withdrawing themſelves after ſome debating, the Quene's Majeſtie's Commiſſionaris conceived in writing, which they did alſo cauſe to be read and dellivered unto them, this manner of proteſtation following; *We the Commiſſionaris*, &c. ut infra, *pag.* 199.

After which being by them allowed, it was accorded on boeth parts, that the like oath to all purpoſes ſhold be taken and made, as were made at *York*, and therupon one ——— *Parkins*, the chiefe Prebendary of the Cathedral church of *Weſtminſter*, being called therto, and holdinge the book of the Newe Teſtament in his hand, the ſaid Lord keeper, Duke of *Norfolk*, the Erles of *Suſſex* and *Leycoſter*, the Lord *Clinton*, Sir *William Cecill*, and Sir *Ralphe Sadler*, laye-

layeinge their hands upon the said book, maide the oath as followeth, *You shall sweare*, &c. as supra, pag. 121.

And afterward the said Bishop of *Rosse* and his colleagues, Commissionaris of the said Quene of *Scotts*, offered themselves to take their oath, and willinglie layeinge their hands upon the said book, beinge in the hande of the said prebendary, made their oath as follows, *ut supra*, pag. 125. *the names of the new Commissioners being superadded.*

After which oaths so maide, the said Bishop and his colleagues beinge by the Quene's Majestie's Commissionaris demaunded, whether they meant to persist and awowe their former writings delivered by them at *York*, whereof the one was ane accusation of *James* Erle of *Murray*, and divers others of the Nobilitie of *Scotland*, for misuseinge themselves towards the Quene of *Scotts*. The other was entituled, *A replication exhibited by the same Commissioners to the answere made by the Erle of Murray and his Colleagues.* The said Bishop and his colleagues answered, That they were verie well content to acknowledge all maner of writings, and specially those two above mentioned, to be their owne acts, and that they weare ready to recognise the same againe at this same tyme. Wherupon they having the said two severall writings shewed unto them, and signed with their owne proper hands, they perceiving the same, did delyver and present the said writings to the Quene's Majestie's Commissionaris as their owne acts, affyrminge all thingis in the same to be true; requyringe hir Majestie's Commissionaris so to accept the same, togeather with the protestationis by them made, aswell at *York*, as the other abovementioned made this present daye; the tenor of which two speciall writings followe in this manner, that is to saye, first, the accusation, and in the proper place after, the replicatioun also, *ut supra*, pag. 128, 162.

And after this the said Bishop and his colleagues being departed, the said Erle of *Murray* and his colleagues being likewise called, and moved to take their oath in lyke maner as they had done before at *York*, were well content, and so laying their hands upon the said Newe Testament, beinge hol-

holden by the aforesaid Prebendary, made their oath, the tenor wherof followeth in this manner: *To shall swear*, &c. ut supra, *pag.* 125.

After which, upon lyke motion made to them as was before to the other Commissionaris, they did willingly acknowledge a certain writinge shewed to them, and signed with their own hands, entituled, *The answere of* James *Erle of Murray*, &c. to be their owne acte; and so they did present the same to the Quene's Majestie's Commissionaris, according to the tenor hereafter followeinge: *The answer of* as James *Erle of Murray*, &c. ut supra, *pag.* 144.

NUMB. LXXI.

The answeare to the protestation delivered by the Quene of Scotts *Commissioners.* Duke of *Norfolk*'s entries.

WE the Commissioners of the Quene's Majestie of *England*, do not meane to proceade judicially, as juges, or in judiciall place, but as Commissioners accordinge to our commission, alwaies adhearinge to the protestation made by certen of us her Majestie's Commissioners at *Yorke*.

NUMB. LXXII.

Answers by the Commissioners of the Queen of England, *to the demands or articles which were exhibited by the Earl of* Murray *at* York, *the 9th day of* October 1568.

Cot. lib. Cal. C. 1. fol. 233.

Altered and interlined by Cecill, *but omitted in his journal of this day, 26th* November 1568.

THE Quene's Majestie having report made to her of four articles, being in forme of questions, which the Erle

Erle of *Murray* and his colleagues produced at *York*, and required anſwer therto, hath willed us her Majeſtie's Commiſſioners to declare to them, that conſidering her Majeſtie hath appointed the hearing of the whole cauſe betwixt the Quene of *Scotts* and them by her commiſſion, to us of ſpecial truſt of faithfulnes and uprightnes directed, and that we have taken our corporall oaths, to do therein ſincerely and uprightly, there needeth not upon the matters conſidered any furder anſwer to the ſaid articles, but to aſſure them, that hir Majeſtie will herein, upon the hearing and determination of the ſame cauſe, do, or cauſe be done, that which ſall be agreeable to the honor of Almighty God, and to the maintenance of the innocent, and reproof of the guilty; with which anſwer hir Majeſtie truſteth they will be content.

And if this manner of anſwer ſhall not content them, but that they will perſiſt in requeſt to have ſurder particular anſwer, hir Majeſtie then would have them to underſtand, that though ſhe ſhall anſwer the ſame according to the ſincerity of hir good meaning and intention, yet ſhe meaneth not nor will, that any perſon do thereof interprete, that thereby the ſaid Erle of *Murray*, or any with him, ſhould be boldened, moved, or any wiſe comforted to enter into accuſation of the ſaid Quene, for any crime or ſuſpicion of crime; for that hir Majeſtie principally wiſheth, that upon the hearing of this great cauſe, the honour and eſtate of the ſaid Quene of *Scotts* were preſerved, and found ſincerely ſound, whole and firme; and thereupon, with this meaning and no other, hir Majeſtie is contented that the ſaid articles ſall be anſwered, as hereafter followeth; if otherwiſe, the former general anſwer ſhall not ſatisfy them.

I. *Article* or *Queſtion*. "We deſire to be reſolved whether ye have commiſſion and ſufficient auctoritie from the "Quene's Majeſtie of *England*, to pronounce in the cauſe "of the murther gilty or not gilty, according to the merits of the cauſe, and as ye ſhall ſé matter deduced before "you."

The Anſwer. We have ſuch authoritie to proceede herein,

in, upon the matters deduced before us, as by our commiſſion may appear unto you.

II. *Article* or *Queſtion*: "Next, having ſufficient commiſſion, whether ye mean and will promiſe us to pronounce according thereunto, and without furder delay, the matter being firſt deduced?"

The Anſwer. We will certenly report to the Quene's Majeſtie, that which we ſall in our conſciences, according to our oaths, find to be true, and her Majeſtie will alſo pronounce and notify that which to her ſall appear in this cauſe to be true, without any furder unneceſſary delay.

III. *Article* or *Queſtion*. "In caſe ſhe be found guilty, "we deſire to be reſolved beforehand, for our ſureties, quhe"ther the Quene our Soveraigne's mother ſhall be deliverit "in our handes, or ſic order put to hir perſon within the "realme of *England*, as the King and we ſhall be aſſurit to "be ſauf from all danger, that may enſue upon hir liberty "in time coming?"

The Anſwer. If the Quene of *Scotts* ſall be juſtly proved and found guilty of the murder of hir husband, which were much to be lamented, ſhe ſall be ether delivered into your hands, upon good and ſufficient ſureties and aſſurances for the ſafety of her life and good uſage of her; or elſe ſhe ſhall continew keept in *England* upon the reaſonable charges of the crown of *Scotland*, in ſuch ſort as nether the Prince her ſon, nor you the Erle of *Murray*, nor any other for holding part, or maintaining the ſaid Prince, ſhall be in any danger by her liberty.

IV. *Article* or *Queſtion*. "In caſe ſhe be found gilty, "we deſire to be reſolved, gif your Grace and Lordſhips, "upon the Quene's Majeſtie of *Inglandis* behalfe, will al"low our proceedings in tymes paſt, as alſwa hir Majeſtie "will from this furth mayntein the authority of the King "our Soverayn Lord, and the regiment of his realme and "leiges eſtabliſhed in the perſon of me the Erle of *Murray*, "during his minority, according to the act of parliament "paſt in *Scotland* thereupon?"

The Anſwer. If ſhe be proved and found guilty of the

murder, which, as is aforeſaid, were to be lamented, the Quene's Majeſtie will allow the proceedings of you and others the Lords of *Scotland* for the tymes paſt, as far forth as ſhall or may be proved to have bene lefull by the formes lawes of *Scotland*, being in force before your attempts. And for the tyme to come, her Majeſtie, according to the ſaid lawes of *Scotland*, and in reſpect of the dimiſſion of the crown made by her to the ſaid Prince her ſon, if the ſame may be provin, will maintain the authority of the ſame Prince to be the King, and the regiment of the ſaid realme now being in the poſſeſſion of you the Erle of *Murray*, untill it ſhall and may be alſo duely proved by the laws of the ſaid realme, that any other perſon of that realme ought by right to be regent or governour of the ſame, or that any other forme of government ought to be there uſed and allowed; ſaving that her Majeſtie means not by any thing in theſe anſwers, to maynteyn, or ſave harmles, any perſon now adhering to the Prince of *Scotland*, or to any other party that ſhall be proved to have bene in any manner gilty of the death of the ſaid Quene's husband, but rather to give aid and aſſiſtance to the due puniſhment of the ſame.

Note, *That at the delivering of theſe anſwers by the Commiſſioners of the Queen of* England *to the Earl of* Murray *and his colleagues, Sir* Nicolas Bacon *then Lord keeper made a ſpeech to them, almoſt in the very words of the anſwers.*

NUM.

NUMB. LXXIII.

The journal, or second session of the Commissioners,

INTITULED,

The act or session in the foresaid place on Friday 26. Novembris 1568.

Cott. lib. Cal. C. 1. fol. 233.

THE Quene's Majestie's Commissioners, which were here yesterday, came all hither this *Friday* in the forenone, before whome came the Erle of *Murray* and his colleagues, and being required what they had to say, they required, that before they should enter into any further matter for, aunswereing further to such matters wherewith they were chardged by the writinge of their adversaries, entitled, *A replication*, &c. that they might deliver a protestation in writinge, subscribed with their hands, and that the same might be heard and considered by the Quene's Majestie's Commissioners before they shall proceed any furder in this cause; and so the same was redd and heard, and thereupon they also requyred it might be inserted amongst the acts of this session, the tenor whereof is as followeth:

NUMB. LXXIV.

Protestation by the Earle of Murray *and his colleagues, when they exhibited their accusation against Queen* Mary.

An original. *Cot. lib. Cal. C. 1. fol. 229.*

ALBEIT our haill proceedings fra the beginning of our interprise, directit only for punishment of the

Kingis murther, and, be juſt executioun thairof, to dryve the ſklander of that abominabill fact from the haill nation, upon the heidis of a few, according to there deſerts, may ſerve for a ſufficient teſtimony to the warld, how unwilling we have alwiſe been to twiche the King our Soveraigne Lordis moder in honour, or to publiſh unto ſtrangeris materis tending to her perpetual infamy; zit ſhall it not be amiſs upon this praſent occaſion to twich briefly, what has bene and yet is our meanyng thairin. Sic was our devotion towards hir, alſwell by private affectioun, quhairby every ane of us was led to wiſhe hir weill, as alſo for publict reſpectis; that, rather than we wald ſpott her honeſtie with the ſociety of that deteſtibill murder, we were content to wink at the ſhrewd reportis of the warld, quha, not being privy to the groundis quhairupon our actions were foundit, and ſwa, for lake of information, miſconſtruying our doingis, blaiſonit us as traitoris and rebellis to our native Prince, in quhais perſoun we had putt handis without ony deſerving. It had bene eaſy for us to have wyped away thir and the like objectiounis with a few wordis, gif we wald have utterit matter quhilk we kept in ſtore for the later caſt: But ſa deſireous were we to cover her ſhame, that we were content to beir a part of hir burding, ſuffering the warld to live ſtill in doubt of the juſtice of our quarrell, and conſequentlie to ſpeke every ane as thair affectiounis were inclynit, ſa far furth, that when we were preſſit be the Quenis Majeſtie of *England*, and King of *France*'s Ambaſſadors, to gif a reſſoun quhy we detenit the Quene in *Lochlevin*, we never came further for anſwer to thame, bot onlie, hir affectioun was ſo exceſſive towards *Bothwile*, chief author and executor of the murther, that ſhe being at libertie, it wald not be poſſible to puniſh him; and therefor it behovit us for a ſeaſon to ſequeſtrate hir perſoun, till he might be apprehendit. In what danger this dealing was like to caſt us is mair than evident, quhairas we could luke for nathing bot plaine hoſtility from *France*, and the Quenis Majeſtie of *Englandis* mynd was clene alienatit from us, for lake of due information, and by reſſoun of our ſilence, ke-

pand

pand back the chiefeſt cauſes of our emotion; quhilk being hid from her Highnes, and not utterit to the warld, it was to be feirit, ſcho wold call the juſtice of our cauſe in doubt; and ſo gif ſcho ſhould diſallow of our doyings, we were left deſtitute of her Majeſtie's ayde, at quhais handis we principallie loukit to reſſave comfort in all times of daunger, being the Prince of Chriſtiandom, quha has greiteſt intereſt to proſequute the puniſhment of that murther, in ſa far as the King, in quhais perſoun it was perpetratit, had that honour to be ſa nere of hir Majeſtie's blude; beſides that he was born hir ſubject, quhairby, be God's ordnance, ſcho is bound to crave his blude out of the handis of the murtheraris. In the ſame moderatioun we could ſtill be content to conteine our ſelfis, gif the continewance of *Scotland* in the ſtate of a kingdom, and the profeſſioun of the true religion, wald permit it; for we remember quhat perſoun ſcho is quhom this matter chiefely tuichis, the moder of the King our Soveraigne, and to quhom, in particular, the maiſt part of us are bound for benefits reſſavit at hir handis; and thairfor cannot bot privatelie beir hir guid will, zea ſa far, gif that with the perpetual exile of any ane of us, or zit of a number, furth of our native countrie, we micht redeme hir honour, without danger of the King our Soveraign's perſoun and haill ſtate, we wald willingly baniſhe our ſelf to that end. And thairfoir, befoir we enter farther in the ground of this matter, which to this hour we have fled, we proteſt ſolemnitlie, that we have na delyte to ſee hir diſhonourit; and that we cume not willingly to hir accuſation of ſo odious a cryme; but that we are thairto enforcit be hir awin preſſing, and our adverſaris, quha will not content themſelfis with our former anſwer, quhilkis thay knaw to be true, but, for defence of our awin juſt cauſe, compellis us to utter that moſt odious matter: Proteſting alſo, that quhatſoever ſall follow thairupon be not imputit to us heirefter, but rather to our ſaid adverſaris, in quhais default hir ſhame ſall be diſcloſit; quhairby thay ſufficientlie declare how litle thay cair quhat becum of hir, howſoever they give themſelfis out to the warld to be of hir party, for preſſing us to

cum

cum to that anſwer, quhilk they knaw we have juſt cauſe to mak, and will mak in the end; and ſua to produce ſic evidentis, as they knaw we have, it is indirectly to preſſe earneſtly hir perpetual infamy: Quhairof, as of befoir, we proteſt, that they, and not we, be eſteimit the chief procuraris. At *Weſtminſter*, 26. *Novembris* 1568.

JAMES, *Regent*, MORTOUN.
PATRICK AD. ORCHAD.
L. LINDSAY. DUMFERMLING.

And after this they alſo produced another writinge, which, they ſaid, they were moſt loth to exhibite, as by the contents of thair proteſtation might be conſiderit, wherunto they did refer themſelves. The ſaid writinge was ſubſcribed by the ſaid Commiſſioners in the preſence of the Quene's Majeſtie's Commiſſioners, and is intituled, *An eik to the anſwere*, &c. whereof the tenor in this ſort followeth;

NUMB. LXXV.

The accuſation againſt Queen *Mary*,

INTITULED,

Ane eik to the anſwer preſentit by us James *Erle of* Murray, *and Regent of the realme of* Scotland, *and remanent Commiſſionaris appointit for the King's Majeſtie of* Scotland, *our Soveraine Lord, in his Hienes behalf, and for our ſelfis and remanent ſtates and pepill, his Majeſtie's faithfull and obedient ſubjectis; to the letter preſentit to your Grace and the Lordis Commiſſionaris for the Quenis Majeſtie of* England *at* York, *on the behalfe of the Quene mother to our ſaid Soveraign Lord. Preſentit the 26th* November 1568.

An Original. *Cotton. lib. Cal. C.* 1. *fol.* 230.

QUHAIRAS in our former anſwer, upon good reſpectis mentionat in our proteſtatioun, we keipit back the chiefeſt

chiefeſt cauſis and grundis quhairupon our actiounis and haill procedingis were fundit, quhairwithall ſeing our adverſaris will not content thameſelfis; but by thair obſtinat and earneſt preſſing we are compellit, for juſtifying of our cauſe, to manifeſt the nakit trewth: It is certaine, and we bauldlie and conſtantlie affirme, that as *James* ſumtyme Erle *Bothwile*, was the chiefe executor of the horribill and unworthy murther, perpetrat in the perſon of umquhile King *Henry* of gude memory, fader to our Soveraine Lord, and the Quenis lauchful husband; ſa was ſcho of the foirknawledge, counſal, deviſe, perſwader, and commandar of the ſaid murder to be done, mantenar and forteſiar of the executoris thairof, be impeding and ſtopping of the inquiſitioun and punithment due for the ſame, according to the lawis of the realme, and conſequentlie, be marriage with the ſaid *James* ſumtime Erle *Bothwile*, delatit and univerſallie eſtemit chief author of the abovenamit murdir. Quhairthrow thay begouth to uſe and exerce ane uncouth and cruel tyrrany in the haill ſtate of the commonwelth, and with the firſt (as weill appeirit by thair procedingis) intendit to cauſe the innocent Prince, now our Soveraigne Lord, ſchortlie follow his fadir, and ſua to transfer the crown fra the richt lyne to a bludy murtherar and godles tyrant. In quhilk reſpect the Eſtatis of the realme of *Scotland* finding hir unworthie to regne, decernit hir dimiſſion of the crown, with the coronatioun of our Soveraine Lord, and eſtabliſhing of the regiment of that realme, in the perſoun of me the Erle of *Murray*, during his Highnes's minority, to be lauchfullie, ſufficientlie, and richteuſlie done, as in the actis and lawis maid thairupon thair largelie is contenit.

JAMES, *Regent*.	MORTOUN.
PATRICK	AD. ORCHAD.
L. LINDSAY.	DUNFERMLING.

After which the Quene's Majeſtie's Commiſſioners departed from the ſaid chamber to theyr lodgings.

NUMB

NUMB. LXXVI.

The journal, or third ſeſſion of the Commiſſioners.

Die Lunæ, 29. *Novembris* 1568. From the *Paper-office*.

THIS preſent 29th, at one of the clock in the afternoon, the Quene's Majeſty's Commiſſioners ſytting in theyr accuſtomed place, having with them the Erle of *Murray* and his colleagues, required of them whether they wold have the wryting laſt aforementioned, named, *An eik to theyr former anſwer*, to be delivered to the Biſhop of *Roſſe* and his colleagues, without any furdre matter; who anſweared, that they wear well content that it ſhuld be delivered, requyring that, if theyr adverſaryis wold deny the ſame, they might be called to make their proofes therof, which they had in readynes whenſoever the ſame ſhuld be requyred. And ſo, after the ſayd Erle and his colleagues were departed, the Erle of *Lennox*, father to the Quene's husband, that was murdred, cam to the ſaid Commiſſioners, and, after lamentable declaration made of his naturall greſe, wherewith he had bene long tormented for the horrible murdre of his ſone, he alledged, that he had no refuge to have any juſtice, but at the hand of God, and that by meanes of the Quene's moſt excellent Majeſtie, whoſe naturall borne ſubject his ſone was, and, next under hir Majeſty, by the help of their Lordſhips, whom hir Majeſtie had authoriſed to heare this cauſe, and for that purpoſe he was come thyther as an humble ſutor: And not being able to expreſſe his cauſe in convenient wordes, he had put in wryting, breſely and rudely, ſome parte of ſuch matter as he had conceaved to be true; for the charging the Quene of *Scotts* with the murdre of her husband his ſone; which wryting being conteined in three ſheets of paper, with certain lettres alſo, wherby, he ſaid,

ſaid; might appeer ſom furdre proofe of things alledged in his wryting, he exhibited upon his corporall othe: Of which letteres, being in nombre fowr, ther was two wrytten to the Quene of *Scotts*, and other two written from her in anſwear therof, both which wrytinges and lettres heerafter follow; *A diſcourſe of the uſage*, &c.

After this don, about the hour of three the ſame afternoone, cam to the ſaid Commiſſioners the foreſaid Biſhop of *Roſſe* and his collegues, to whom it was declared, that wher at *York* they had exhibited in wryting an accuſation of the ſaid Erle of *Murray* and others, wherunto anſwear was made by the ſaid Erle at the ſame tyme, and in the end ther was one clauſe in manner of a reſervation of a powre for them to add therto; to which anſwer the ſaid Biſhop and his collegues had exhibited a replication: Now the ſaid Erle and his collegues, for furdre anſwear, have exhibited a wryting ſubſcribed with theyr handes, named by them, *An eik to their former anſwear*, which they have delivered, after a proteſtation firſt maid of theyr great greife, in being therto compelled by theyr adverſaries; which wryting, named *An eik*, was ſhewed to the Biſhop and his collegues, offring to them the liberty to doo what they ſhuld think fit herin. Whereupon they receaving a true copie therof, withdrew themſelfes into an other chambre, and after reſonable tyme they retourned, ſaying, that they had peruſed it, and found it very ſtrange, and as a thing unlooked for, that the other partie wold put in wryting any ſuch matter with ſuch boldnes, and in ſuch ſorte, ſpecially conſidering the Quene theyr Soverayn had ſo much benefited the greteſt nombre of them, and howſoever they did in theyr wryting charge the Quene theyr Soverayn, they for theyr parts wold as boldly defend her; adding in the end, that howſoever the nature of that cauſe was, yet it becomed not them as ſubjects to touch her in this manner. After which ſpeches uſed, they requyred not to have the ſame taken now for theyr anſwear, for that the matter was of great weight, and requyred ſome furdre tyme of advyſe; wherin they wear offred to take what tyme they pleaſed, and ſo they offred to return to-morrow in

the afternoone with answear to the same place, and so departed.

NUMB. LXXVII.

Journal of the Commissioners.

Die Martis, 30. Novembris 1568. From the *Paper-office*.

THIS day about twelve of the clock, at dynnar tyme, the Bishop of *Ross* and his colleagues sent one *Barthyck* to the Quene's Majesty's Commissioners being at the *Starr Chamber*, requyring licens to spare them for coming this afternoone accordyng to theyr appoyntment, of fryng to come to-morrow in the mornyng by nine of the clock, which was redely allowed.

NUMB. LXXVIII.

Journal of the Commissioners.

1*mo* Decembris 1568. From the *Paper-office*.

THIS day at nine of the clock, the Erle of *Arundell* being the thyrd person in commission, havyng bene letted by sikness untill this tyme, came to the councell chamber, where the rest of the Commissioners were, to whom was declared summarely all the whole proceedings, as well in the commission at *York* as in this also; And for his more particuler information, the copies of the accusation, the answear, the replication, and the last protestatioun and addition made by the Erle of *Murray* and his colleagues, having bein shewed to him, his Lordship did the better understand this manner of summary declaration by word of mouth; and, amongst other thinges, mention being made to him, how the Commissioners on all three parts had taken their othes for their up-

right proceeding herin, his Lordship having understoode by sight in wryting what was conteyned in the othe, sayd, he was content to take the like othe if it were offered him, and so saying his hand upon the New Testament, the lyke othe being redd unto him, as was at the first begynning to others of his colleagues, he toke it.

After this immediatly the Bishop of *Rosse* and the rest came to the Commissioners, and sate downe at the counsell table, where the Bishop of *Rosse* sayd, they had considered of the writing called, *The eik*, and before they wold shew what they thought thereof, it was required, that the Lord *Hereys*, who had ben best acquainted in this matter from the beginning might be heard to say somewhat, which was granted. And so he began to say, that he having certen things herin to utter, and dowting his memory, he had made some notes in writing of that which he had to say, and so he redd the said writing, wherin he alledged, that the other parties had invented this accusation of the Quene for mayntennence of their owne treasons, shewing, that where some of the best of them had receaved great benefites of the Quene whilst she was of tender yeres, and how she had in that time disposed away so much of the revenues of her crowne as she had diminished two parts therof, leaving for hir self and hir successor but a third, which she considering when she came to twenty five yeres of age, and finding, that though she might for hir lief indure the lack therof, in respect of her dowery in *France*, and other casualtyes, being no parcell of her crown, yet her successors should not be able so to do; whereupon she made, according to the order of the law, revocation; and these parties which now accuse her, fearing that in time comming she wold extend the same upon some of them, knew no other way to mayntayne themselves in their rules and lyvelyhoodes, but to invent these kind of slaunders against their Soveraigne Lady, whom, it should well appeare when the truth of the cause should be knowen, the world should playnly understand to be free from these slanderous and treasonable accusations: And therefore the said Lord *Hereys* requiring the Quene's Majestie's commis-

miſſioners, being men of honour, and diverſe of them of the moſt ancient and noble blood of the realme, to ſuſpend their opinions herein, and to conſider how dangerous this example may be for ſubjects to deviſe falſe calumniations againſt their Soverayne, and conſequently to ſeeke the depoſition of her from her crown and ſtate, and to take to themſelves ſingular rules and authority for mayntenence of their own ambition. And in the end was added, that when the cauſe ſhuld be furder tryed, it wold be proved, that ſome of them which be now the accuſers, were privy to the making of bandes and writings for the conſpiracy of the death of the Lord *Darnley* the Quene's ſpowſe. And ſo enlarging his ſpeche with like matter, he remitted to the Biſhop of *Roſſe* the furder anſwering of the matter for which they came, who began to declare, that they had conſidered the writing which was delivered to them the other day, wherin they found ſuch weighty and high matter towching the honor of the Quene their Soverayne, as cquld not procede any furder untill they had firſt ſpoken with the Quene's Majeſty; for ſo they were of late commanded by the Quene their Soveraigne, by ſpecial letters of inſtruction, that if the other party ſhuld procede in any thing otherways than they had don at *York*, to the prejudice of her honor, that then they ſhuld not procede to anſwer them: For which purpoſe they deſired they might have acceſs to ſpeke with the Quene's Majeſty. And after a little pawſe the Biſhop ſaid, the very cauſe why they ment to ſpeke with her Majeſty, was to declare unto her Majeſty what commandment they had receaved from the Quene their Soveraigne to ſtay herin, and alſo to require, that for the anſwer of theſe infamous calumniations the ſaid Quene might come in proper perſon to the preſence of her Majeſty, and there before her counſell and Nobility, and ſuch Ambaſſadors as were here in this realme for any foreyn Princes, anſwer for her ſelf, for defence of her innocency; and in the meane ſeaſon, that the other partie, havyng in this ſort accuſed her, might be here arreſted and ſtayed untill the end of this cauſe might be ſeen what they had deſerved. According to which ſpeche of the Biſhop,

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he produced and ſhewed ſurth lettres ſigned with the name of the Quene their Soveraigne, dated the 22d of *November* laſt paſt, wherof he redd certen ſeverall parts agreable with his ſpeche, and did alſo ſhew furth another wryting in paper, wherin was conteyned the requeſt which they ment to make to hir Majeſty agreeable to his former ſpeche, as follows:

NUMB. LXXIX.

A memorial or letter from the Commiſſioners of the Queen of Scotts, *to the Commiſſioners of the Queen of* England, *at* Weſtminſter *the ſaid 1ſt of* December 1568.

From Q. *Marie's* Regiſter, *& Cott. lib. Cal. C.* I. *fol.* 234.

My Lordis,

WE are hartly ſory to heir that thir our contrymen ſhuld intend to colour their moſt unjuſt, ingrate, and ſhamefull doings, as to the warld is patent, aganis thair natural Soveraigne liege Lady and Miſtreſs, that hath bene ſa beneficent to them. Hir Hienes maid the greiteſt of thame of meane men, gif thay had uſit thair owne calling, Earlis and Lordis; and now, without ony evil deſerving on hir Grace's part to ony of thame in dede or worde, to be thus wiſe recompenſit with calumnious and falſe inventit bruitis, sklanderit in ſa greit a matter, till hir reproche, quhairof thay themſelfis, that now pretend herewith to excuſe their own treaſouns, were the firſt inventaris, writers with their own handis of that deviliſh band, the conſpiracy of the ſlaughter of that innocent young Gentleman *Henry Stewart*, lait ſpouſe till our Soveraigne, and preſentit to their wickit confederate *James* Earl *Bothwell*, as was maid manifeſt beſoir ten thouſand pepill at the execution of certain the principall offendaris at *Edinburgh*. But ſeing thay can get na uther excuſe to this their treaſonabill uſurpatioun and manifeſt wrangis, yea ſuch uſurpatioun and wrangis, as never

never have been ſeen the like for ſubjectis to have done or memptit of befoir; for the firſt and beſt of them hath not in parliament the firſt vote of eightene of that realme. No, no! my Lords, this is not the cauſe why they have put their handis in thair ſoveraigh the anontit of God, maiſt often be his word expreſly prohibitit, a matter to other Princes richt dangerous, and worthie to be forſeen, for if this in thame be tollerat, what Prince lives upon the face of the erth that ambitious ſubjectis may not invent ſome ſklander in thair living, to come to thair ſupreme authority? Becauſe zour wiſdoms underſtand well how farr theſe thair doings paſſeth the bounds of ſubjectis permittit in the Holy and Sacred Scriptures, and loyal duety to their native Princes in humane lawis, we will not ſpeke thereof; only will we plainly declare the very treuth and cauſe of thair uſurpatioun:

The Quenis Highneſs, our and thair native Soverain, being of hir ſelf (as well is knawn) a liberal Princes, gave thame in hir zouth, for thair unſhamefaſt begging, without uther thair worthie deſervings, the twa part of the patrimony perteyning to the crowne of *Scotland*; and when hir Grace came to farther zeiris, and mair perfect underſtanding, ſeing, that hir ſucceſſouris, Kings of that realme, micht not mainteyne thair eſtate upon the third part, (albeit hir Grace micht for hir tyme, having ſo great a dowry of *France*, and other caſualities not proper to the crowne) for thair evil deſervingis and maiſt proud contemption, procuring hir ſklander ſo far as in them was, ſlaying hir Secretar in hir Grace's preſens; caufit hir uſe the privilege of the lawis alwayis grantit to the Kings of that realme of befoir, and make revocatioun befoir hir full age of xxv. zeiris. Thay underſtanding right well this to be a waye, when it pleaſit hir Grace, or hir ſucceſſouris, be the lawis to take from thame the livings before given them, and thus wife evill deſetvit, quhen thay had herin adviſit with thair *Machavellis* doctrine, ſeing hir ſone, an infant not a zeir old, culd find na better way than to cutt off thair Soveraigne liege Ladie, which, if it had not ben the Quenis Majeſtie

of

of this realme, hir greit diligence, without doubt had ben don; for that thay understuid thay might lang possess these coumes, or that infant had wit or power to displace them; and, in the mean tyme, get greit riches under the colour of a pretendit authoritie, quhairunto, nather be the law of God nor man, thay can never have richt: Sua that it was not the punishment of that slaughter that movit thame to this proud rebellioun, bot the usurping of thair Soveraigne's supreme authoritie, and to possess thamselfes with hir greit riches, and hir true subjectis, we baldly avowe and constantly do affirme, as by the sequel doth and shall plainly appeir: Thus shall be knawin the cause and ground of their mind to the Quenis Majestie of this realme, the Kingis of *France*, *Spayne*, and all other Princes.

And as the Quenis Majestie hath writtin and said, hir Highnes neither culd, nor wald be juge in this cause, considering the Quenis Grace, our mistres, and hir progenitouris, have ben frie Princes, nather zit wald hir Highnes permitt thame to cume to hir presens, that thus had usit thair native Soverane, so can we not douht bot your right honorabill Lordships reporting this to hir Majestie, we sall find hir of that gude mind and dispositioun to our Soverain hir Majestie's awin blood, that upon the affirmit promis of friendship and assistance betwixt them, of hir fré option and voluntary will, is cum into this realme to hir Majestie, seeking hir Highnes's help, that hir Grace may enjoy hir owne realme gevin hir of God, which utheris have ever fund and we of ressoun can requyre, Howbeit our Soveraigne had na tyme to have advysit with hir estatis anent hir causis, nor leisure herin to indent with the Quenis Majestie; but in very simple manner put hir self in hir Majestie's hands upon the premisses, trusting only in hir Majestie's high honour, which ever hath bene found to uthers of farr meaner degré, that in such manner hath sought in this countrey; and at hir Hienes command and promise of assistance, hath left the seiking of ayde of any other Princes *.

And

* In the copy in the *Cottonian* library, *Cal. C.* 1. *fol.* 234. here follow

And that ye, my Lords, of the noble, ancient, worthy blood of this realme, are convenit to heat and undeſtand this cauſe, and that your honors ſhuld report the ſame to your Soveraigne, is our greit comfort to have gude anſwer, quhilk we humbly require.

NUMB. LXXX.

From Queen Marie's *Regiſter.* Cott. lib. Titus, C. 12.

The propoſitioun being maid be my Lord *Herris*, the Biſhop of *Roſs*, in name of the reſt of the Quenis Majeſtie of *Scotland*'s Commiſſionaris foirſaids, declarit thairefter quhat was thair meaning, and quhat they might and wald do in this cauſe, in manner following:

The anſwer and propoſitioun maid be the Biſhop of Roſs.

PLEIS zour Honouris, we have conſidderit the writing gevin to us in form of eik, as we could beſt for the preſent; quhairin we find contenit ane mater of greit weight, bringing with it ane greit ſequele and conſequence, concerning the honour and eſtait of our Soverane Ladie and Maiſtres, being ane free Princes, calumniouſlie sklaunderit and blaſphemit be the ingrate, inobedient, and undutifull proceedings of the rebellious uſurparis of hir Grace's crown, realme and authoritie, and thairſoir thinkis guid to notifie unto zour honouris, that we the Commiſſionaris for the Quenis Majeſtie of *Scotland* did, as plaintifes, begin in the conference haid at *Zork*, and do zit ſuſteine and repreſent the perſounis of plaintives and grevit, in the behalf of the Quenis Majeſtie our Soverane. And quhair now the Erle of *Murray* and the reſt of his complices, be the way of anſwer,

follow theſe words, *Having no other but her Majeſtie's high honor to appeale her cauſe unto*; which are not only wanting in my copies, but ſeem inconſiſtent with the former part of the ſentence, and with truth.

ſwer, defens and excuſe, chargis hir Majeſtie unjuſtlie with certaine greit crimes, it ſemis to us, that zour honouris, being the Quenis Majeſtie's Commiſſionaris of this realme, cannot gif ordour, pronounce or determine upon ony ſic crime or offence, ſwa alledgit be way of defence or exceptioun, bot onlie upon the trewth or untrewth of the firſt complaynt be us exhibited: And gif the ſamin be found frivole, untrew, or inſufficient, zour honours may do quhat be ordour of ony convenienient or reſſonabill manner of traitie is to be done in ſic caiſſis. And although the ordour of this conference and traitie had bene ſic that zou might reaſonablie determin the ſamin crimes and offencis be zour commiſſioun, zit, becaus the ſaid Erle of *Murray*, his partakeris and complices, forzetting thair dewties and alledgeances, have chargit thair Soverane with ſa haynous behaviour, in ſic undecent and diſhonourabill termis, beſyde and contrarye to all expectatioun; and that thay ar admittit to cum in proper perſoun to the Quenis Majeſtie's preſence, and beſoir zour Honouris; we have thought guid, conſidering the ſtrangenes of this manner of dealing, to ſignifie to zou, that we, being advyſit with the inſtructiounis and commandement gevin unto us be our Soveraine, are reſolvit, adhereand to our former proteſtatioun, to mak ane humble requeſt to the Quenis Majeſtie of this realme, from quhom zour Honouris has the auctoritie, quhilk ſall tend to that end, that ſic anſwer as ſall be maid, may mair fullie and mair effectuuſlie ſatisfie hir Majeſtie, zour Lordſhips and all utheris, for the defence and maintenance of the honour and innocence of the Quenis Majeſtie our Soverane; and that the Quenis Majeſtie and zour Lordſhips may perfytelie underſtand, that we mene nathing bot to deale ſincerelie, upryghtlie and trewlie, in this cauſe, ſeikand na ſubterfuge, our deſire is maiſt earneſtlie, that it ſould be the Quenis Majeſtie's pleſour, that our Soverane may be admittit to cum in the preſence of the Quenis Hienes of this realme, hir haill nobilitie, and als in preſence of the Ambaſſadours of forraign countries, for mair trew declaratioun of hir innocence, and ſatisfactioun of the Quenis Majeſtie of this re-

alone, hir Nobilitie, and all Chriſtiane Princes; quhilk we dowbt not but for divers reſpectis mentionat in our ſupplicatioun, be zour Lordſhips counſall, will be granted; and thairfoir deſyris zour Honouris to ſignifie this unto the Quenis Majeſtie, to the effect we may have audience to preſent the ſame to hir Hienes.

Quhilk propoſitioun being heard, incontinent ſum of the ſaids Commiſſionaris paſt to the Quenis Majeſtie to *Hampton-court*, and the ſamin night advertiſit the ſaidis Commiſſionaris, it was the Quenis Majeſtie's pleſour thay ſould be at *Hampton-court* on *Fryday* next the third of *December*, for the cauſis abone written.

NUMB. LXXXI.

Proceedings of the Commiſſioners upon Friday *the third day of* December 1568, *at* Hampton-court.

From Quene *Mary*'s Regiſter. *Cott. lib. Titus, C.* 12.

THE quhilk day the Commiſſionaris for the Quenis Majeſtie of *Scotland* paſt to *Hampton-court*, and efter certain declaratioun made unto the Quenis Majeſtie, of the cauſis of thair cuming toward hir Hienes: They preſentit ane ſupplicatioun to hir Majeſtie, ſubſcrivit with thair handis, of the quhilk the tenour followis:

PLEIS your Majeſtie, albeit in our reply at *York* to the contryvit and feinzeit anſwer of *James* Erle of *Murray* and his adherentis, in reſpect of cheritie, and of our Soverainis clemencie to be extendit towarts thame, notwithſtanding their diſloyall and unnaturall deſertis, the rather for your Majeſtie's pleſour, and that thay mycht, for zour Hienes ſaik, haif bene againe unytit to that bodie and commone welth, quhairof our Soverane Ladie is the heid in *Scotland*, quhairfra their buſie untrew inventionis has cutt thame off, and ſould haif bene no farder heard, we replyed cauldely and

and myldlie without ony railing, and zit trewlie, not proveiking thame to ony injurie, as thay now unjuſtlie alledge. Thairefter it pleiſit zour Majeſtie, for zour Hienes better ſatisfactioun, and that our Soveraihis cauſis ſould be better heard, to revocat the hearing of this conference to zour Majeſtie's ſelf, and zour Hienes honorabill Commiſſionaris; in quhais preſence at *Weſtwinſter*, we exhibited a proteſtatioun, in the quhilk the crowne, eſtate, perſoun and honour of our Soverane, is excepted to be tuichit, nor zit ony wyſe to proceid judiciallie, quhilk was well reſſavit and admittit be thair honours. Zit the groundit uſurpatioun of the ſaid Erle, and his and thair obdurate malice is ſo gryte, that, contrare thair naturall dewtie to the Quenis Hienes thair Soveraigne, quha hes advaunſit thame, of hir large liberalitie, with ſa mony benefits; contrare alſwa our proteſtatioun and trew meaning of this conference, thay haif ſa untrewlie inveighed aganis the honour of our Soveraignis maiſt noble perſoun, and be implicatioun wald peirce the rycht and dignitie of hir eſtaite, crowne, and rewyne of hir body: Quhairby thay haif firſt, for thair part, violated and brokin this conference, and our Soveraignis clemencie never heirefter to be extendit unto thame, as thair wicked deſerts requyris; and for our part, in reſpect of the premiſſes, hes juſt cauſ to diſſolve the ſamyn, and ſwa to leif off, zit conſidering thair injurious and intollerable proceidings afoir this tyme be ſecreit ſurmyſis, ſawing thair untrew ſklanderis againis our ſaid Soveranis honor, and now publictlie, zea and deſperatelie bragging, to cloik thairby thair treaſonabill doingis; we cannot let the aaker hald of our dewtie, firſt to God, and nixt to our Soveraigne, ſa far ſlip, as thair pernitious and deteſtable doingis ſould altogidder paſs away with ſilence. Bot ſeing the caus dois twitch ſo heychlie our Maiſtres honour and eſtate, being ſpeciallie commandit be hir Hienes, in caſe ony other thing wer proponit of new, that was not of before gevin in at *York*, concerning hir crowne, eſtait, perſoun or honor, that it mycht be zour Majeſtie's pleſure, that forſamekle as the ſaid Erle of *Murray* with his complices, hir Hienes rebellis, hes gottin alrea-

die preſence of zour Hienes, and bene admittit before zour Majeſtie's Commiſſionaris to calumniat hir honor; that thairfoir we maiſt humblie and effectuuſlie deſyre, that it may be zour Hienes pleſure, our ſaid Soverane Ladie may be permittit to cum, in proper perſoun, to zour Majeſtie's awin preſence and of zour Nobilitie, and in the preſence alſo of the haill Ambaſſadouris of uther countreys, now reſident within this zour Hienes realme, to declair hir innocencie, and to mak zour Majeſtie and thame underſtand the untrew inventit calumnies of hir ſaidis rebellis, for the better defence of hir Grace's honor, ſatisfactioun of zour Hienes, and all uther Chriſtiane Princes and gude ſubjectis quhatſumever, quhais knowledge this preſent conference ſall cum unto. And we doubt not bot zour Hienes, be the advyſe of zour maiſt honourabill and wiſe counſale, will grant this maiſt reſſonabill deſyre of our Soverane, ſen equitie and reaſon requiris, rather, that hir Hienes being ane frie Princes, and cum in this realme, upon the truſt and confidence ſhe had in zour Majeſtie, hir gude ſiſter and nerreſt couſignes of blude in the warld, ſould be admittit in proper perſoun to zour Hienes preſence, to declair hir awin innocencie; nor hir ſaidis rebellis to haif had preſence to calumniate hir Hienes honor in hir abſence: And alſo ſen the ſaidis rebellis hes takin upon thame injuſtlie and boldlie to accuſe thair native Soveraigne, deſyris alſo, that they may be ſtayed and arreſted be zour Majeſtie's authoritie, to anſwer upon ſic haynous attemptats as ſall be laid to thair charge; and that it will pleis zour Majeſtie, in conſideratioun of the premiſſis, that we haif zour Hienes anſwer, quhilk we maiſt humblie requyre, that we may certifie our Soverane Ladie thairof, according to our dewtie and ſpeciall commandement gevin us be hir Hienes thairto.

Your Majeſtie's maiſt humill and obedient Servitouris leifully to command,

JO. ROSSEN. R. BOYD.
HERRYS. KILWYNNING.

Quha

Quha, efter reſſaving of the ſamyn, anſwerit, That becaus the mater wes weichtie, and deſyres the Quene hir ſiſter to be brought to hir preſence, hir Majeſtie wald advyſe thairon, and gif anſwer on the morn, being the feird of *December*.

NUMB. LXXXII.

Upon Settirday *the fourt of* December 1568, *at* Hampton-court. Ibid.

THE quhilk day the Commiſſionaris for the Quenis Hienes of *Scotland* being at *Hampton-court*, in preſence of the Quenis Majeſtie of *Ingland*, and hir Hienes previe counſal onlie being preſent, and na utheris, quhairof the names followe, Sir *Nycolas Bacon*, Lord Kepar of the Greit Seal, the Duke's Grace of *Norfolk*, the Marques of *Northampton*, the Erle of *Suſſex*, Erle of *Pembroke*, Erle of *Leiceſter*, Erle of *Bedford*, my Lord *Clyntoun* Admyrall, the Lord *Howard* Chamberlaine, Sir *William Cecil* principal Secretarie, Sir *Rauff Saidler* Chancelar of the duchie of *Langcaſtre*, and Sir *Walter Myldmay*; the Quenis Majeſtie gaif anſwer to the deſire of thair ſupplicatioun and petitioun, in effect as followis:

I have ſene zour ſupplicatioun, and hes conſiderit the ſamin: And quhair ze deſire that zour Soverane ſould cum to my preſence, for to declair hir innocence in this cauſe, ze ſall well underſtand, that from the begynning the onlie reſſoun quhy ſcho was debarrit yairfra, was alanerlie throw the bruit and ſklaunder that was paſt upon hir, to be participant of ſic ane haynous crime as the murther of hir huſband: Quhairin I thought beſt for zour Miſtres's weill and honour, and alſo for my awin, that tryal ſould be tane thairof befoir hir cuming to me; for I culd nevir beleive, nor zit will, that evir ſcho did conſent thairto. And thairfoir I have digeſtlie advyſit, ſince hir ſubjectis has bene chargit with thair greit wrangis and unnaturall behaviour towardis thair Soverane, and that thay have for thair defence,

gevin

gowin in ſic ellis and additioun to thair former anſwer, quhairthrow it may not weill ſtand with hir honour, nor zit with myne, that the matter now ſould be tane up or appoinctit, or zit that ſcho ſould be travellit to cum hier to my preſence, unto the time I may underſtand how thay will pruiff, and quhat they have for thame to verifie thair anſwer and additioun. And thairfoir I will ſend for thame, and inquyre thame thairof; for I think it verie reſſonabill that ſcho ſould be heard in hir awin cauſe, being ſo weyghtie: bot to determine quhom befoir, quhen and quhair, ony tyme befoir I underſtand how they will verifie thair allegatioun, I am not as zit reſolvit; bot efter the conferring with thame, ſall gif zou ane anſwer of everie point in form reſſonabill.

Quhairunto it was anſwerit be the ſaids Commiſſionaris, gif it micht ſtand with hir Majeſtie's pleſour, it ſemit to be mair conſonant to reſſoun, that hir Hienes ſould be preſent hirſelf befoir hir Majeſtie, or thay wer ony furder heard, in reſpect that hir Hienes were abill at hir cuming to gif ſic reſſounis, that they ancht not to be admittit to propone ony thing aganis hir Hienes; and mekil-leſs, befoir the ſaid tyme, ſould be heard to pruiff ony thing on thair maner contrair hir perſoun and honour, in hir abſence; and thairfoir deſyrit of hir Majeſtie, that hir inobedient ſubjectis ſould na furder be heard until hir Hienes awin cuming; affirmand that they wald nather accept nor gif anſwer to ony thing quhatſoever thay wald alledge for probatioun in that behalf, quhill hir Hienes ſelf wer admittit firſt to hir Majeſtie's preſence, becauſe they had ſpecial command to that effect.

Scho replyed again, ſaying, ſhe wald not deſire the ſaids Commiſſionaris, becauſe thay wer bot ſervandis and ſubjectis, to mak ony anſwer by thair commiſſioun: But, for the mair ſatisfactioun of hirſelf, and for thair Miſtreſs's weill, ſhe wald knaw quhat thay had for thame to propone ſic thing contrair thair Soverane, and how they micht pruif the ſamin.

Finallie, the ſaid Commiſſionaris for the Quenis Majeſtie of *Scotland*, in preſence of the Quenis Majeſtie and counſall forſaid, declarit and affirmit conſtantlie, that hir Majeſtie micht

michi do as scho pleasit, but thay wald never consent that thair Soverane inobedient subjectis sould be ony funder bound; and that thay wald nawayis proceid ony funder, conforme to thair direction, unto the time the Quenis Majestie thair Soverane micht be admittit in proper persoun to cum into the presence of the Quenis Hienes here, and be heard to declare hir awin innocense, like as hir rebellious subjectis had been admittit to calumniat hir Majestie in hir absence, bot wald be glaid to resave answer to thair formet supplicatioun: Protesting, that quhatsoever wes done hierefter befoir the Quenis Majestie of this realme's Commissionaris, sould not prejudge thair Soverane in any sort.

NUMB. LXXXIII.

The Journal of the privy council of *England*.

Or a stuffling account of it,

Altered and interlined with Secretary *Cecil*'s hand.

Die Sabbati, 4. *Decembris* 1568, *hora prima post meridiem.*

Present

The QUEEN's Majesty.

The Lord Keeper,	Earl LEYCESTER,
Duke of NORFOLK,	Lord Admyral **,
Marquis *,	Lord Chamberlain,
Lord Steward †,	Sir WILLIAM CECIL,
Earl ESSEX,	Sir RALPH SADLER,
Earl BEDFORD,	Sir WALT. MILDMAY.

THE said Bishop and his collegues, before they came to the court, sent a message to the Erle of *Leicestre* and Sir *William Cecil*, requiring to speake with them twoo aparte,

* *Northampton* Treasurer. † E. *Pembroke*. ** L. *Clinton*.

parte, before they ſhould receave any anſwear from the Quenis Majeſty to theyr requeſt delivered the day before, which, with the knowledge of her Majeſtie, was to them accorded. And thereupon the ſaid Commiſſioners came in to the Erle of *Leiceſter*'s chambre, where the ſaid Biſhop, in the name of the reſt, ſayd, that before they ſhuld com to her Majeſtie's preſence, they thought good to propound a matter to them twae, which was this; That although the Erle of *Murray* and his complices had delivered in wryting a greevous accuſation againſt the Quene theyr Souverain, and that they weare prohibited to make any furdre anſweare to any ſuche matter, but only to deſyre the Quene of *Scotts* might com in perſon to the preſence of the Quene's Majeſtie to make anſweare therto, as was conteyned in thair requeſt exhibited yeſterday: Yét they having conſidered with themſelves their Miſtreſſe's intention to have bene always from the begynning, that theſe cauſes ſhuld be ended by the Quene's Majeſtie by ſom ſuch good appoyntment betwixt her and her ſubjectis, as might be for her Grace's honour, and the commonweale of the countrey, with ſeurty alſo to the Erle of *Murray* and his partie, notwithſtanding theyr former doinges, thought good to declare thus much to the ſaid Erle and Sir *William Cecil*, and to require that this motion might be ſignified to her Majeſtie, and her pleaſure therin knowen, before any anſweare ſhuld be geven to theyr former requeſt. For that they ſaid, if this motion ſhuld not be allowed, nor the anſweare to be made to their requeſt fall out to theyr ſatisfaction, they could proceede no furdre in this conference. To which matter ſo propounded by the ſaid Biſhop, the Lord *Harris* alſo added ſome furdre ſpeache, which the ſaid Erle and Sir *William Cecil* finding (as they thought) to differ ſomwhat from the other, and thereby the motion ſeemed to them at the firſt ſomewhat doutful and obſcure, how they might make due reporte therof to her Majeſtie, and perceaving alſo by ſom ſpeache of the ſaid Lord *Harris*, that they had ſum wryting hereof, it was required to ſee the ſame in wryting, only to reade it, or heare it read, without caryeing away the ſame wryting for the more direct

reporte

reporte therof. But they anſweared, that they had but certain notes therof in wryting, conteyned in a memorial mixt with other thinges; and ſo the Biſhop repeting the ſame againe, it was at length conceaved and accorded in effect as is above written. And ſo being reported to her Majeſtie, in preſence of her counſell, it was concluded by her Majeſtie, that they ſhuld be anſweared as hereafter followeth, upon theyr acceſſe unto her in the preſence of the ſame her counſell.

Her Majeſtie firſt moved them to repete their motion made to the ſaid Erle of *Leiceſtre*, and Sir *William Cecil*, leſt they two had (as they might for lack of memory) miſconceave the ſame. And after the ſaid Biſhop had reiterated the ſaid motion, as above is mentioned, the Quene's Majeſtie ſaid, That it was not unknowen unto them, and eſpecially unto the Lord *Herris*, who had longeſt treated herein, how deſirous ſhe always had bene to have this cauſe of theyr Quene her good ſiſter well ended to her honor, and ſpecially that ſhe might be proved free from the great haynous crimes by common fame imputed to her. And therfore, howſoever they had the office to ſpeake on her behalfe as her ſervants, in this manner to make a motion of appointment, ſhe could not forget her office as a friend and ſiſter. And therefore truſting and wiſhing that the Quene her ſiſter ſhuld be found innocent, as they themſelves had always given good aſſurance therof, ſhe thought it better for her ſiſter's honour, and declaration to the world of her innocency, to have the Erle of *Murray* and his complices charged and reproved for this theyr ſo audacious defaming of the Quene their Soveraigne, and to receave that which was due for their puniſhment, than to have it ended by appoyntment, except it might be thought, that they ſhould be able to ſhew ſome apparent juſt cauſes of ſuche ane attempte, wherof her Majeſtie wold be ſorry to heare. And as for the Quene of *Scotts* comming in perſon to her Majeſtie, to make anſwear hereunto, the ſame being of no ſmall moment to her honor, but rather likely to touche her in reputation, in that it might be thought the accuſation ſo probable,

bable, as it weat not to be improved by any other, but that ſhe ſhuld be forcit to come herſelf, being a Quene, in perſon, to anſwear for herſelfe, her Majeſtie ſaid, ſhe wold not have the Quene's honor and eſtate in that manner indaunngered, without this theyr accuſation might firſt appeare to have more likelyhud of juſt cauſe than ſhe did finde therin: For ſhe rather hoped that the ſame ſhuld be found to be deviſed without juſt grounde; and ſo fynding it, the Quene's honor ſhuld be thereby ſaved, without eyther any compoſition by appoyntment, or any neceſſitie of anſweare: And ſo the accuſers might be uſed according to theyr deſertes: And therefore her Majeſtie concluded it to be beſt for the ſaid Quene, that the ſaid accuſers ſhould be roundly charged and reproved herein, and, according to that which they ſhould anſweare therto, the Quene's Majeſtie wold let them knowe her meaning and opinion, eyther for this motion of ending the cauſe by appointment, or otherwiſe, for the coming of the *Scottiſh* Quene into her preſence, which ſhe ſo muche had allways deſired, as nothing could have ſtayed the ſame but this unhappy chaunce, and common reporte made of her in ſo horrible a cauſe.

Hereunto the Quene of *Scotts* Commiſſioners ſaid, that this laſt motion for an appointment cam not from the Quene ſince the accuſation given in by the Erle of *Murray*, and ſo alſo the Quene's Majeſtie aſſented therto, but of theyr owne conſideration, partly gathered of the deſire they had to have things quietly ended, partly alſo upon the Quene theyr Miſtreſſe's diſpoſition knowen unto them at the begynning of this treaty, and alſo before, that this whole cauſe ſhuld be ended by the Quene's Majeſtie, by ſome appointment. And ſeing her Majeſtie lyked not therof, they renewed their requeſt, that their Miſtreſs might com up in perſon to anſweare. Wherupon the Quene's Majeſtie contynuing in her former reſolution, ſaid as before, that ſhe thought it better for the honour of the Quene her ſiſter, to have her cleared upon reproving the accuſers, as ſhe truſted ſhe ſhuld, than to have the matter wrapped up by any appointment. And yet bothe in that motion, and alſo for her comming up hither

ther in perſon, they ſhould know her pleaſure, if ſhe ſhuld finde any furder cauſe requiſit for the ſame. And for making of her anſweare, which they much preſſed, her Majeſtie ment nevir to deny the ſame, if cauſe ſo required, eyther before her ſelf, or before other meet perſons, or any other ways that ſhe might fynd convenyent and honorable.

Wherunto the ſaid Commiſſioners ſaid, that her Majeſtie might herein do her pleaſure; but they thought it not reaſonable in the cauſe of private perſons to have any prooves required of accuſers until ſom aunſwear wear made. To which her Majeſtie anſweared, that ſhe meant not to require any prooves, but contrariwiſe to charge the Erle of *Murray*, as reaſon was, and to reprehend and impugn the accuſation by all good means in the favour of the ſaid Quene of *Scotts*: And yet if the accuſers wold needes therin perſiſt, and for theyr defence ſhall allege any thing, her Majeſtie wold receave the ſame for her own ſatisfaction, and therupon the ſame ſhuld be duly declared to them the Quene's Majeſtie's Commiſſioners, or to her ſelf, as they ſhuld find it meeteſt. And therupon they ſhuld have anſweare to theſe theyr motions, as well for the ending of the cauſe by appointment, as for her anſwering for her ſelf, as cauſe ſhuld require.

NUMB. LXXXIV.

Proceedings of the Commiſſioners upon the ſixth day of December 1568, *at* Weſtminſter *at twa afternoune.*

From Queen Marie's *Regiſter.* Cott. lib. Titus, C. 12.

THE quhilk day the Quenis Hienes Commiſſionaris of *Scotland*, paſt to the preſence of the Quenis Majeſtie's Commiſſionaris of *Ingland*, quha had accordit to heir thame that day in all they wald propone, or they wald enter to confer with the Erle of *Murray* and his adherentis, in ony ſort, ſuppois they wer cum alreadie thair to that effect, and

declarit to thair honouris, that ſen they had reſſavit the Quenis Majeſtie's anſwer to the ſupplicatioun preſentit be thame, thay had advyſit ryplie and digeſtlie with thair articlis, inſtructiounis and commandment gevin be thair Soverane Ladie unto thame, according to the quhilk they had maid ane writing in form, beiring in effect ane petitioun, that thay ſould proceid na furder in this conference, until thay get ane reſolute and direct anſwer of thair ſupplicatioun preſentit to the Quenis Majeſtie: Proteſting, that quhat beis done ſall not prejudge thair Maiſtres's perſone, eſtait, honour, crown nor titillis, togidder with ane diſcharge of the preſent conference in cais foirſaid, as at length is contenit in the ſamin, quhilk beirs alſo the ſupplicatioun inſcrivit thairintill, as follows:

The proteſtation exhibited by the Commiſſioners of the Quene of Scotland, *to the Commiſſioners of the Quene of* England, *wherin is ingroſſed the ſupplication preſented to the Quene of* England *upon the third day of* December 1568.

An original.

MY Lordis Commiſſionaris for the Quenis Majeſtie of *Ingland* in this preſent conference, we Commiſſionaris for the Quenis Hienes of *Scotland*, our Soverane, being advyſit with our commiſſioun and inſtructiounis, did ſignifie unto zour honours the firſt day of this inſtant moneth of *December*, that we culd in na wayis anſwer to the additioun and eik gevin in be the Erle of *Murray* and his complices, hir Hienes inobedient ſubjectis, except it war firſt grantit, that our ſaid Soverane Ladie ſould be permitted to cum to the Quenis Majeſtie's preſence of this realme, to anſwer for hirſelf, and declair hir awin innecence: For nouther had the Quenis Majeſtie of this realme, nor zour honours, hir Hienes Commiſſionaris, nor we authoritie or power to pronounce or conclude in ony thing concerning hir honour, perſoun, crowne or eſtait, as our formar proteſtatioun maid in the beginning of this conference at *Weſtminſter* the xxv. day

day of *November* laſt, dois proport. Quhairfolr we deſirit to haif had preſence of the Quenis Majeſtie your Soveraigne, to preſent an ſupplicatioun to hir Hienes to that effect, quhairof we gaif your Lordſhips ane copie, of the tenor following: PLEIS your Majeſtie, albeit in our reply at *York, &c. ut ſupra, p.* 218.

Quhilk haifing audience, upon zour Lordſhips procurement, we preſentit to hir Majeſtie at *Hampton-court*, upon the third day of this inſtant, ſubſcrivit with our handis: And on the morn thairefter, being called befor hir Hienes, zour honours, and utheris of hir Majeſtie's maiſt honorabill counſal; becaus we cnld not obtein ane direct anſwer till our petitioun and ſupplicatioun, the deſyre thairof being ſa reſſonabill, [* *And that hir Majeſtie declarit, ſcho wald reſſave probatioun upon thair ſaid eik, and conſider the ſamin, befoir our ſaid Soverane ſould be ſend for to be heard: Quhairfoir we thinking the ſamin ane prepoſterous ordour, quhilk never has bene uſit in ony treatie or conference, zea, gif it were the maiſt extreme form of judgement, to reſſave probatioun befoir the partie wer heard to anſwer to the alledgeance, and ſpeciallie in ſa weightie a cauſe,*] did ſignifie unto hir Majeſtie in zour preſence, lyk as now preſentlie we do unto zour honors, conforme to our commiſſioun and inſtructionis, that we conſent in na wyſe, that any farder ſhould be proceidit in this conference, nor zet our Soveranis diſobedient and rebellious ſubjectis, be heard to giff in ony pretendit probatioun for pruifing of thair ſaid invented addition, unto the tyme that the Quenis Hienes our Soverane wer preſent and heard, conforme to the deſyre of our ſaid ſupplicatioun and petitioun. And we alſo ſolemnitlie dois proteſt, in caſe zour Lordſhips proceide in the contrare, that quhatſumever has bene, or ſall be done heirefter, ſall not prejudge ony manner of waye our Maiſtres and Soveranis honor, perſoun, crown,

* What follows in *Italick* characters, however reaſonable it appears to be, they were obliged to take out before the *Engliſhmen* would receive their proteſtation.

crown and eſtaite; and for our part diſſolvis and diſchargis this preſent conference, haiſing ſpeciall command therto be our ſaid Sovereigne in caiſe forſaid: And als in reſpect that gif hir awin preſence wer admitted, (as all reaſone requiris) hir Hienes wald not alanerlie declair hir innocence to the ſatisfactioun of the Quene's Majeſtie's heir and all Chriſtiane Princes, but alſo wald mak hir rebellious ſubjectis for thair haynous and evil deſerveingis, unworthie to compeir before ony Chriſtiane Prince, to exhibite ſic contryved and inventit allegeance aganis thair native Sovereign, as heirefter to the warld plainlie ſall be knawin. And deſyris that before ony farder proceading, this our preſent petitioun, proteſtatioun and diſcharge, be inſert in this conference, and that we haif the doubill thairof autenticlie ſubſcryvit for our warrand.

Preſentit and gevin in to the Quenis Majeſtie's Commyſſioners of England, *by the Quenis Hienes Commyſſioners of* Scotland, *at* Weſtminſter *the ſext day of* December, *in the zeir of God one thouſand fyif hundreth threeſcore and eight zeiris, and ſubſcryved with thair handis,*

JO. ROSSEN. R. BOYD.
HERRYS. KILWYNNING.

This writing, ſubſcrived by the Biſhop of *Roſs*, the Lord *Boyd*, the Lord *Harris* and *Kylwyning*, was this *Thurſday* the 9th of this *December* in the afternone exhibited to the Quenis Majeſtie's Commiſſioners, by the Biſhop of *Roſs* and the Lord *Boyd* only, and not by the Lord *Harris* and *Kylwyning*, as above is mentioned.

WILLIAM SAY, *Notarius.*

After this the Erle of *Murray* and his collegues cam in lyk manner; and firſt the Erle *Morton* ſaid, that wher heretofore he had declared by ſpeache, the manner how he cam to the lyttle guilt coffer with the lettres, ſonnets, and contracts of marriage therin found, and heretofore exhibited; he had cauſed the ſame to be put in wryting, which alſo he produced ſubſcribed with his hand, and deſired to have it read,

read: Which being done, he avowed upon his honour, and the oath which he already took the ſame to be true, the tenor wherof followeth, *The true declaration and reporte*, &c.

After this the Erle of *Murray* required, that one *Thomas Nelſon*, late ſervitor to the King that was murdered, who did lye in the King's lodging the ſame night that he was murdered, and ſcaped by reaſon of a gret ſton wall betwixt the King's chamber and that place wherin he did lye, might be hard upon his oath to report his knowledge therein, who being produced, did preſent a wryting in form of an anſweare, of himſelf to an examination, which being red unto him, he did by a corporal oath affirm the ſame to be true, the tenor whereof followeth thus, *Thomas Nelſon ſometime ſervant*, &c.

NUMB. LXXXV.

Journal of the Commiſſioners,

INTITULED,

The ſeſſion at Weſtminſter, Dec. 6. 1568, *wherein the Erle of* Murray *and his Commiſſioners were reproved for accuſing of the Quene of* Scotts.

AT twa of the clock in the afternoon, when all the Quene's Majeſtie's Commiſſioners weare aſſembled in the accuſtomed chamber to have declared to the Erle of *Murray* and his collegues, the Quene's Majeſtie's miſlikeing of their late accuſation of the Quene their Soverain, for which purpoſe the ſaid Erle and his collegues ought for to be theare preſent, the Biſhop of *Roſs* and his collegues ſente one Mr. *Berthick* to require that they might com to the ſaid Commiſſioners to declare certen matter. Whereupon the ſaid Commiſſioners preferringe the ſaid motion to be conſidered before they proceded with the ſaid Erle of *Murray*, ſent to the ſaid Biſhop, to underſtand whether the matter which they

they had to declare, was of ſuche importance as weare meete to be underſtoode before they ſhould ſpeake with the Erle of *Murray*, who was preſently with them all, ready to ſpeake with them. Wherunto the Biſhop anſwered, that their deſire was to ſpeake firſt with them. And ſo her Majeſtie's Commiſſioners moveinge the Erle and his partie to withdrawe themſelves aparte, ſent for the ſaid Biſhop, who with his collegues being com, ſaid, that they had conſidered with themſelves, ſince their beinge upon *Sattirday* laſt with her Majeſtie; that whear they did then perceave that her Majeſtie mente to procede with the Erle of *Murray* and his partie, to require proofes upon the allegations produced againſt the Quene their Soverain, they came to declare that they could no furder procede in this conference, but for their partes would proteſt, that except the Quene their Miſtreſs might appere in perſon before the Quene's Majeſtie, to anſwere for her ſelfe, this conference might be diſſolved: And to that end they had conceaved their meaninge in writing, which they produced and read. Wherin becauſe they did otherwiſe repeate the Quene's Majeſtie's anſwere made unto them on *Sattirday*, then was bothe plainly and manifeſtly knowen unto her Majeſtie's Commiſſioners, which weare at *Hampton-court*; in preſence of her Majeſtie, at the giveinge of the anſwere to them, the ſame was by them all with one conſent ymproved, and thereupon anſwered, that they could not receave the ſame writinge of her Majeſtie's anſweare, without prejudiſing of the truth it ſelfe, and manyfeſte offence in their own conſciences. And for thoſe reſpects they required the ſaid Biſhop and his collegues to retaine their writeing with themſelves, offeringe nevertheleſſe, that if they would at any time offer any writeinge unto them to this purpoſe, or any other conteyning the Quene's Majeſtie's anſweare according to the truth therof, they would willingly receave the ſame. And ſo the ſaid Biſhop reiteratinge in wordes their requeſt by way of proteſtinge, that they meant neither to treat nor compeare any more in this conference, they went their waie.

After this done, the Erle of *Murray* and his collegues cum-

cumminge to the Quene's Majeſtie's Commiſſioners, weare charged in the Quene's Majeſtie's name by the Lord Keeper in this manner followinge:

My Lords, the Quene's Majeſtie, upon the conſideration had of that you call your eike, being an addition to your former anſweare, hath commanded us to ſay unto you, that her Highneſs thinketh very much and very ſtrange that, being native ſubjects to the Quene of *Scotts*, you ſhould accuſe her of ſo horrible a cryme, odible both to God and man, a cryme againſt law and nature, whereby if you ſhould prove it true, ſhe ſhould be infamous to all Princes in the world. And therfore hath willed us to ſay unto you, that although you in this doing have forgot your duties of allegiance toward your Soveraine, yet her Majeſtie meaneth not to forget the love of a good ſiſter, and of a good neighbour and freind. What you are to anſwere to this, we are heare ready to hear. Whereunto the ſaid Erle and the reſt with him anſwered, that they truſted it had appeared by their former proceedings both at *Yorke* and heare, how loath they weare to enter ſo farre as they have done to make any accuſation of the ſaid Quene. For their coming at the firſt was by the Quene's Majeſtie's commandement, upon the motion of the ſaid Quene of *Scotts*, to anſwere to ſuch thinges as wherewith they ſhould be charged, which they had done at *Yorke*: And therin they thought they had ſhewed good matter for mayntenance of their doings, without entring into any accuſation of the ſaid Quene. And if their adverſaries could have bene contented to have ſtaid therupon, they would not have entred further: But ſeing they could not be allowed to make their defence as they had done, but that their adverſaries, by way of replication, would continue the chargeing of them ſo many wayis with diſobedience, where indeed, by their former anſwere, they uſed no other ſpeech for their defence, but ſuch as was lawfull for them by the laſt acts of parliament; wherin was as great a preſence of the three eſtates of that realme, as had bene at any time theſe hundred years before: They muſt require the Quene's Commiſſioners to conſider, that this their entring

tring further into the matter wherewith the Quene is to be charged, proceedeth not of them, nor of any pleaſure they can take to hear her any ways touched in honor; but of their adverſaries, who hereby may appear to have leſs regard of the Quene, though they pretend to be her Commiſſioners themſelves. And ſo with ſundry ſpeeches tending all to this effect, and remembring their former proteſtation, they ſaid, for more ſatisfaction of the Quene's Majeſtie, whom they found by the ſpeech lately uſed unto them to be greivouſly offended for the manner of their accuſation of the Quene, they would ſhew unto her Majeſtie's Commiſſioners a collection made in writing of the preſumptions and circumſtances, by the which it ſhould evidently appear, that as the Erle *Bothwel* was the chief murtherer of the King, ſo was the Quene a deviſer and maynteyner thereof; the which writing followeth thus, *Articles conteyning certaine conjectures*, &c.

After the reading hereof they alſo ſaid, that according to the truth conteyned in the ſame, the three eſtates of parliament, called by the King now preſent, their whole actions and proceedings from the murther of the late King weare ratified and approved to be lawfull. In which parliament they ſaid, amongſt the three eſtates, ſome of them which be now their adverſaries were preſent, and gave their voyces to the ſame without contradiction. And beſides that a greater number of all the eſtates had not bene known in any parliament theſe hundred years before.

Wherefore they truſted that the Quene's Majeſtie being duly therof informed, would not be ſo grievouſly offended with them, as it appeared to them ſhe was, nor think them culpable in theſe their doings. And therwith they did alſo preſent to her Majeſtie's Commiſſioners the copie of the ſaid act of parliament, and alſo the names of all the three eſtates there aſſembled, ſubſcribed by the Regiſter of the parliament; the tenor of both which writings hereafter follow: *In the parliament holden and begun at* Edenborough, &c. Vide ſupra, p. 66.

NUMB.

NUMB. LXXXVI.

Journal of the Commiſſioners,

Die Mercurii, 8. Decembris 1568, *at* Weſtminſter.

Altered and interlined with Secretary *Cecil*'s hand.

THIS daye the Erle of *Murray*, according to the appoyntment yeſterday, came to the Quene's Majeſtie's Commiſſioners, ſaying, that as they had yeſternight produced and ſhewed ſundry wrytings, tending to prove the hatred which the Quene of *Scotts* bare toward her husband to the tyme of his murder; wherin alſo they ſaid might appear ſpeciall arguments of her inordinate love towards the Erle *Bothwell*; ſo, for the further ſatisfaction both of the Quene's Majeſtie, and theyr Lordſhips, they were ready to produce and ſhew a great number of other letters wrytten by the ſaid Quene, wherin, as they ſaid, might appear very evidently her inordinate love towards the ſaid Erle *Bothwell*, with ſundry other arguments of her guiltynes of the murder of her Husband. And ſo therupon they produced ſeven ſeveral wrytings wrytten in *French* in the lyke *Romain* hand, as others her letters which were ſhewed yeſternight, and avowed by them to be wrytten by the ſaid Quene. Which ſeven wrytings being copied, were read in *French*, and a due collation made therof as neere as could be by reading and inſpection, and made to accord with the originals, which the ſaid Earl of *Murray* required to be redelivered, and did therupon deliver the copies being collationed. The tenors of all which ſeven wrytings hereafter follow in order, the firſt being in manner of a ſonnet.

'*O Dieux, ayez de moy*, &c. ut ſupra, p. 45.

After this they did produce and ſhew three ſeveral wrytings in *Engliſhe*, ſubſcribed and ſigned by Sir *John Bellendyn* Knight, Juſtice-clerk in *Scotland*, wherof the firſt conteyned

teyned two ſeveral examinations, the firſt of *John Haye* the younger of *Tallow*, the 13th of *September Anno* 1567, the ſecond of *John Heyburn*, called *John of Bewton*, being examined upon the murder of the King the 8th of *December* 1567.

The ſecond writing conteyned the examination of one *William Powray*, xxiii. *Junii* 1567, and in the ſame paper a ſecond examination of the ſaid *William Powray* the 3d of *July* then next following.

The third writing conteyneth the examination of one *George Dalglych* the 26th of *June* in the ſame year 1567. All which writings were alſo produced, being ſigned by the hand of the foreſaid Sir *John Bellenden* the Juſtice-clerk, and being read, were delivered to the ſaid Commiſſioners, the true tenor wherof hereafter followeth. *Apud Edinburgh, 13. die menſis Septembris, &c.*

After this they produced and ſhewed furth in writing, ſubſcribed likewiſe by the ſaid Juſtice-clerk, a copie of the proces, verdict, and judgment againſt the foreſaid *John Hayeburn*, *John Haye*, *William Powray*, and *George Dalglech*, as culpable of the murder of the ſaid King, which being read, was alſo delivered, and the tenors therof hereafter followeth, *Curia juſticiaria S. D. N. regis, &c.*

After this they produced and ſhewed forth a wryting in a long paper, being, as they ſaid, the judgement and condemnation by parliament of the Erle *Rothwell*, *James Ormeſton*, *Robert Ormeſton*, *Patrick Wilſon*, and *Paris a Frenchman*, *Sym. Armſtrong*, and *William Murray*, as guilty ſundry wayes of Treaſon for the murder of the King. The tenor whereof thus followeth: *In the parliament holden at* Edinburgh, the *20th daye of* Dec. &c.

After this they produced and ſhewed a wryting ſigned by Mr. *James Macgill* Clerk of the regiſter, conteyning a requeſt, by way of proteſtation, by the Erles of *Huntly* and *Argile*, and the Lord *Herrys*, by the which they require to have no faulte imputed unto them for not doing their duty ſince the 10th of *June* 1567, until the 29th of *December* then following, for the which, by order of parliament, they were

ware acquitted, Which wryting was produced by them to ſhew in what ſorte the ſaid Erles and the Lord *Harrys* had acknowledged in parliament their obedience unto the King. The tenor of which wryting followeth, *In the parliament holden at* Edinburgh *the 29th* Dec. 1567.

NUMB. LXXXVII.

Ane authentick extract or exemplification of a proteſtation in parliament upon the 29th of December 1567, *by the Erles of* Huntley *and* Argyle, *and by the Lord* Harrys.

IN the parliament halden at *Edinburgh* the 29th of *December*, the zeir of God 1567. The quhilk day, noble and mychtie Lordis *George* Erle of *Huntlie*, Lord *Gordon* and *Badzenach*, &c. *Archibald* Erle of *Argyle*, Lord *Campbell* and *Lorne*, &c. and *John* Lord *Hereis* proteſted every ane of thame *reſpective* for themſelves; that na fault ſuld be imput to thame, nor ony of thame, for ony caus bygane, committed, or done be thame ſen the 10th day of *Junii* laſt bypaſt, albeit thay haif nocht done ſik thingis as thay ſuld haif done obedientlie, and as became thame of thair dewtie. My Lord Regentis Grace, in preſence of the three eſtatis of parliament, declared, that he forgaf and forgevis the ſaidis Erlis and Lord for ony occaſioun bygane: And ſiclike, all uther liegis of this realm, quhilks will in tyme cuming aſſiſt to the Kingis Majeſtie and his Regent in the affairis tane on hand be him, and the perſonis aſſiſtand to thame, and puniſhment of the murtheur of the King. And theireftir the forſaid declaratioun maid be my Lord Regentis Grace, being voted be the three eſtatis of parliament, thay in likewiſe declared according to the foreſaid declaratioun of the ſaid Lord Regent, quharupon the ſaidis Erlis and Lord asked inſtruments. *Extractum de libro actorum parliamenti, per magiſt. Jacobum Makgill de Rankillour-Nether, clericum rotulorum regiſtri, & conſilii S. D. N. regis, ſub meis ſigno & ſubſcriptione manualibus.* JACOBUS MACGILL.

After

Aſter this they alſo produced and ſhewed in wryting, ſigned by Mr. *James Makgill*, an act befoir the Lords of ſeſſions in *Scotland*, conteyning the Quene's declaration, that ſhe did remit to the Erle *Bothwell*, *&c.* the raviſhing of her coming from *Sterling*; the tenor wherof thus enſueth: *At* Edinburgh, *the* 12*th day of* May, &c. *Vide infra, p.* 242.

NUMB. LXXXVIII.

Journal of the Commiſſionaris upon Tuiſday *the* 9*th of* December 1568, *at* Weſtminſter.

From Queene *Mary*'s Regiſter. *Cott. lib. Titus, C.* 12.

THE quhilk day the ſaid Biſhop of *Roſs* and Lord *Boyd* paſt to *Weſtminſter*, to the preſence of the ſaidis Commiſſionaris of the Quenis Majeſtie of *Ingland*, and declared unto thame, that becauſe at the preſenting of thair laſt writing, the ſext of this inſtant, it was ſaid, that the ſamin buire not the Quenis Majeſtie's anſwer, as the ſamin was ſpoilin be hir Hienes, as they alledged; thairfoir now (but prejudice of the ſaid writing, and proteſting it ſould not heirby be prejudged, but have its full effect, of the ſamin dait as it was preſented) thay of new wald preſent an uther writing, beiring the ſupplicatioun, petitioun, proteſtatioun, diſſolutioun and diſcharge of the ſaid conference, in the ſamin form and tenour, word be word, except that it is left out of this laſt writing, that is in the former, thir wordis following: And that hir Majeſtie, *&c.* [*ut ſupra, pag.* 229.]

The ſamin writing was preſented be the Biſhop of Roſs *and Lord* Boyd, *in name of the reſt of the Quene's Majeſtie's Commiſſionaris of* Scotland *at* Weſtminſter, *the* 9*th of* December 1568 *foirſaid.*

Quhilk writing being red, thay deſirit the ſamin to be inſert in thair buiks of the ſamin dait as it was preſented of befoir, quhilk was the ſext day, affirming, that the words beiring

ing the form of the Quenis Majeſtie's anſwer, quhairupon thay wer plaintous, wer left out of the ſamin. And the ſaid Commiſſionaris for the Quenis Majeſtie *of Ingland*, required the firſt writing that was produced the ſext day to this effect, to be given in with the ſamin. And efter the reſſait of thame baith, thay cauſed thair awin clark, in thair preſence, write upon the firſt writing, that was preſented on the ſext day, thir wordis following:

This writing was preſented to the Quenis Majeſtie's Commiſſionaris the ſext of December, *quha wald not reſſave the ſamin, becauſe, thay alledged, the Quenis Majeſtie's anſwer was not trewlie reported thairintil, and is reſſaved this nynth day, becauſe of ane writing given in with it this day.*

And ſicklike cauſed write upon the uther laſt writing, quhilk was preſented this day, thir wordis following:

This writing was preſented to the Quenis Majeſtie's Commiſſionaris at Weſtminſter *the nynth of* December, *and not befoir: ſubſcribed be the handis of the Biſhop of* Roſs *and Lord* Boyd *onlie, and not be* Hereis *and* Kilwynning.

NUMB. LXXXIX.

Journal of the Commiſſioners,

Apud Weſtminſter, *die Jovis*, 9. *die* Decembris 1568.

Altered and interlined in ſeveral places with *Cecil*'s hand.

Cott. lib. Cal. C. 1. *fol.* 252.

THE Quene's Majeſtie's Commiſſioners being occupied in peruſing and reading certain lettres and ſonnets wrytten in *French*, being duly tranſlated into *Engliſh*, and other wrytings alſo exhibited yeſterday to them by the Erle of

of *Murray* and his collegues, the Bishop of *Rosse* and Lord *Boyd* sent one *Borthick* to require accesse for them to be heard, which was granted to be at one of the clock after dinner; and the like motion being made from the Erle of *Murray* for accesse also, the same was appoynted to be at two of the Clock. And so the Commissioners proceded untill dinner tyme in the hearing and perusing of the foresaid wrytings.

At one of the clock, the Bishop of *Rosse* and the Lord *Boyd* came alone without the Lord *Herris* and *Kilwenning* or any other person, and required the Commissioners to receive a wryting in a long paper, which was subscribed by the said Bishop and Lord *Boyd*, and also by the Lords *Herris* and *Kilwenning*, in forme of a protestation. Which wryting being considered by the said Commissioners, and found therin underwrytten, presented and gevin in to the Quene's Majestie's Commissioners, *&c.* by the Quene's Commissioners of *Scotland* at *Westminster* the 6th day of *Dec. &c.* by the said Bishop, Lord *Boyd*, Lord *Herris* and *Kilwenning*, being Commissioners of the Quene of *Scots*, and so also subscribed by them four; where indeed the same wryting was not presented either the said 6th, or at any other time before this present 9th day, nor was now exhibited, but by the said Bishop and the Lord *Boyd* only. The said Commissioners shewed unto the said Bishop and Lord *Boyd* the same matter, who for answear said, that because they and the other two had presented one writing the 6th of this month, wherin was conteyned a lyke protestation as this was, which was not receaved by theyr Lordships, for that in the same the Quene's Majestie's answear was not expressed, as theyr Lordships affirmed it to have bene given by hir Majestie, they had now in this wryting exhibited this 9th day altered and refourmed the same, and that was the cause why they had so wrytten under this wryting now exhibited. And hereupon being required to shew the other wryting, which they offered upon the 6th of this month, to conferre the difference of them both, the same was produced, and therupon it was found, that these two wrytings did differ concern-

cerning the report of the Quene's Majeſtie's anſweare, and in the end alſo in ſome other ſmall ſentences; and ſo both the wrytings weare receaved this preſent day. And for the truth of the circumſtraces hereunto belonging, to be hereafter better underſtanded, ſpecial clauſes weare by conſent of both partyes added under every of the ſaid wrytings by the publick notary there preſent, and weare read in the preſence of the Quene's Majeſtie's Commiſſioners, and of the ſaid Biſhop and Lord *Boyd*. The tenor wherof, with the ſubſcriptions, hereafter followeth, *My Lords Commiſſioners*, &c. ut ſupra, pag. 228.

And in like manner the ſecond, *ut ſupra, pag.* 238.

AFTER this the Erle of *Murray* and his collegues cam in lyk manner; and firſt the Erle *Morton* ſaid, that wher heretofore he had declared by ſpeache, the manner how he cam to the lyttle guilt coffer with the lettres, ſonnets, and contracts of marriage therin found, and heretofore exhibited; he had cauſed the ſame to be put in wryting, which alſo he produced ſubſcribed with his hand, and deſired to have it read: Which being done, he avowed upon his honour, and the oath which he already took the ſame to be true, the tenor wherof followeth, *The true declaration and reporte*, &c.

After this the Erle of *Murray* required, that one *Thomas Nelſon*, late ſervitor to the King that was murdered, who did lye in the King's lodging the ſame night that he was murdered, and ſcaped by reaſon of a gret ſton wall betwixt the King's chamber and that place wherin he did lye, might be hard upon his oath to report his knowledge therein, who being produced, did preſent a wryting in form of an anſweare, of himſelf to an examination, which being red unto him, he did by a corporal oath affirm the ſame to be true, the tenor whereof followeth thus, *Thomas Nelſon ſometime ſervant*, &c.

NUMB. XC.

The declaratioun of the Quenis libertie.

From the records of the court of ſeſſion, commonlie called, *The acts of* ſederunt, lib. 2. fol. 156.

Apud Edinburgum, xii. *Maii* 1567.

THE quhilk day our Soverane Lady comperand perſonalie in jugement, in preſence of the Lordis Chancellar, Preſident, and haill Lordis of ſeſſioun underwrittin; that is to ſay, *George* Erle of *Huntlie*, Lord *Gordoun* and *Badzenoch*, Chancellar, *&c.* Reverend faderis in God, *Jhone* Biſhop of *Roſs*, *Alexander* Biſhop of *Galloway*, *Adam* Biſhop of *Orknay*, Maſter *William Baillie* Lord *Provand*, Preſident, Mr. *Alexander Dunbar* Dene of *Murray*, Mr. *Robert Maitland* Dene of *Aberdene*, Mr. *David Chalmer* Chancellar of *Roſs*, Mr. *Archibald Craufurd* Perſoun of *Egliſhame*, *Gawyne* Commendatar of *Kilwinning*, Sir *James Balfour* of *Pittendreich*, Knyght, Clerk of Regiſter, *Richart Maitland* of *Lethingtoun*, *Jhone Bellenden* of *Auchnoul*, Juſtice-Clerk, Knychtis, *William Maitland* younger of *Lethingtoun*, Secretar to our Soverane Lady, Mr. *Henry Balnaves* of *Halhill*, Mr. *Jhone Gladſtanes*, and Mr. *Edward Henryſoun*, licentiat in the laws: And als in preſence of *Jhone* Archbiſhop of *Sanctandrois*, *William* Biſhop of *Dumblane*, *David* Erle of *Craufurd* Lord *Lyndeſay*, *George* Erle of *Caitneſs*, *Jhone* Commendatar of the Abbay of *Abirbrothok*, *Alexander* Commendatar of *Culroſs*, *Robert* Commendatar of *Sanct Mary-Yſle*, Theſaurer, *George* Lord *Seytoun*, *Robert* Lord *Boyd*, and *Symon Preſtoun* of *Craigmillar*, Knyght, Proveſt of *Edinburgh*: Being informed of befoir, that the Lordis of ſeſſioun maid ſum doubt and ſtop to ſit for adminiſtratioun of juſtice to the liegis of this realme, in reſpect that hir Hienes was tane and halden in *Dunbar*, be *James* Erle *Boithvile*

vile, Lord *Halis* and *Creychtoun*, and certane utheris his complices, contrair hir Majeſtie's will and mynd: And now the Quenis Majeſtie, for declaratioun of hir mynd thairintill, hes allowed the foirſaidis Lordis of ſeſſioun, for doing of Juſtice to hir Hienes liegis, ſen the tyme foirſaid. And further, hes declared and declaris, that albeit hir Hienes was commoved, for the preſent tyme of hir taking, at the ſaid Erle *Boithvile*, and * ſenſyne be his gude behaving towart hir Hienes, and having ſure knawledge of his thankful ſervice done be him in tyme bigane, and for mair thankful ſervice in tyme cuming, that hir Hienes ſtands content wirh the ſaid Erle, and hes forgevin, and forgevis him, and all utheris his complices being with him in company at the tyme foirſaid, all hatrent conſaved be hir Majeſtie for tuking and impreſouning hir at the tyme foirſaid. And alſ declaris hir Majeſtie to be at hir fredome and libertie; and is mynded to promove the ſaid Erle to furthir honouris, for his ſervice foirſaid. And Mr. *David Borthick*, Procurator for the ſaid Erle, asked inſtrumentis heirof.

NUMB. XCI.

The evidence of Thomas Nelſon *concerning the murder of King* Henry Darnley.

Marked with Secretary *Cecil*'s hand.

Cot. lib. Cal. C. 1. *fol.* 165.

THomas *Nelſon* ſumtyme ſervand in the chambir to umquhill King *Henry* of guide memory of *Scotland*, exa-

* There are written in the ſame hand with the record, upon the Margin, the following words, "*Memorandum*. This act was "put in the bukis, efter that the Lord Regent and haill Lordis "being in the town, upon the xviii. day of *October*, had ſeen the "ſamyne, and I extractit thairupon."

mined upon his conſcience, declaris, that he wes actual ſervand to the King the tyme of his murder, and lang of befoir, and came with him from *Glaſgow* the time the Quene convoyed him to *Edinburgh*. *Item*, The deponar remembris it wes dewyſed in *Glaſgow*, that the King ſuld haif lyne firſt at *Craigmillar*; bot becaus he had na will thairof, the purpois wes altered, and concluſioun takin, that he ſuld ly beſyde the *Kirk-of-field*, at quhilk tyme this deponer beleived ever that he ſuld haif had the Dukis hous, and knew na uther hous, quhill the King lychted, at quhilk tyme he paſt directlie to the ſaid Dukis hous, thinking it to be the lugeing prepared for him; Bot the contrare wes then ſchawin to him be the Quene, quha convoyed him to the uther hous, and at his cuming thairto, the ſchalmer wes hung, and ane new bed of black figur'd velvet ſtanding thairin. The keyis of the lugeing wes partlie ſtanding in the duris, and partlie delivered to this deponer be *Robert Balfour* awner, all except the key of that door, quhilk paſſed through the ſellar and the town-wall, quhilk could not be had; and thairfoir *Bonkle* in the ſellar ſaid, he ſuld cloſe it weill aneuch within: Quhilkis keyis wes keppit and uſed be this deponer, and uthers the Kingis ſervandis, quhill the Quenis cuming to the lugeing, at the quhilk tyme the key of the laich chalmer under the King, quhair ſche lay tua nychtis, *viz.* the *Wedniſday* and *Friday* befoir his murder, with the Key of the paſſage that paſt toward the garden, were delivered in the handis of *Archibald Betoun*, as the deponer remembris, quhilk *Archibald* wes yſcheare of the Quenis chalmer door: Befoir quhilk tyme of the Quenis lying in the Kingis lugeing the tua nychts above named, ſche cauſed tak down the utter door that cloſed the paſſage toward baith the chalmers, and cauſed uſe the ſamyn door as a cover to the bath-fatt, quherin he wes baithed: And ſua ther wes nathing left to ſtop the paſſage into the ſaidis chalmers, bot only the portell duris: as alſua ſche cauſed tak down the ſaid new blak bed, ſayand, it wald be ſulzeit with the bath, and in the place thairof ſet up an auld purple bed that wes accuſtomed to be carit. And the ſaidis keyis that wer delivered

vered in the handis of *Archibald Betoun*, remaned ſtill in the handis of him and utheris that awaited upon the Quene, and never wer delivered agane to the Kingis ſervandis: For ſche ſet up ane grein bed for hir ſelf in the ſaid laich chalmer, quherin ſche lay the ſaids tua nychts, and promiſt alſua to haif bidden thair upon the *Sounday* at nycht. Bot eſter ſche had tarvd lang, and intertened the King very familiarlie, ſche tuk purpois, (as it had bene on the ſuddan) and departed, as ſche ſpak, to gif the mask to *Baſtyane*, quha that nycht wes mareit; hir ſervand, namelie, the ſaid *Archibald Betoun*, and ane *Paris Frenchman*, havand the keyis of hir chalmer, quherin hir bed ſtuid in, as alſua of the paſſage that paſt toward the gairding: For quhen the Quene wes their, hir ſervandis had the keyis of the haill houſe, and duris at hir commandement, for upon the nycht ſche uſed with the Lady *Rereis* to ga furth to the garding, and ther to ſing and uſe paſtyme. Bot fra the firſt tyme that ſche lay in that lugeing, the Kingis ſervandis had never the key of hir ſaid chalmer agane. The Quene being departed toward *Halyrud-hous*, the King, within the ſpace of ane hour, paſt to bed, and in the chalmer with him lay umquhill *William Taylour*. This deponer and *Edward Symonis* lay in the litill gallery, that went direct to ſouth out of the Kingis chalmer, havand ane window in the gavel throw the town-wall, and befyde thame lay *William Taylour*'s Boy, quhilks never knew of ony thing quhill the hous quherin thay lay wes fallen about thame: Out of the quhilk how ſone this deponer could be red, he ſtuid upon the ruynous wall quhill the pepill convened, and that he gat claiths and ſua departed, quhill on the *Monounday* at efternone he wes called and examined, and, amangis utheris thingis, was inquired about the keyis of the lugeing, this deponer ſchew that *Bonkle* had the key of the ſellar, and the Quenis ſervandis the keyis of hir chalmer: Quhilk the Laird of *Tulybardin* hearing, ſaid, Hald thair; heir is ane grund. Eſter quhilk wordis ſpoken, thay left off, and proceded na farther in the inquiſition.

The lyke requeſt was made, that one *Thomas Crawford*, a Gentle-

Gentleman of the Earl of *Lenox*, might be alſo heard upon his oath, who was, as they ſaid, the ſame party of whom mention is made in a long lettre wrytten in *French*, and exhibited the 7th of this month, where it is ſaid, about the beginning of the ſame lettre, that a Gentleman of the Earl of *Lenox*, met the party that wrote the lettre about four miles from the place where the lettre was wrytten, as in the copie of the ſame lettre may appere. Wherupon the ſaid *Thomas Crawford* coming before the Commiſſioners, he did preſent a wryting, which he ſaid he had cauſed to be made according to the truth of his knowledge, which being read, he affirmed upon his corporal oath there taken to be true, the tenor wherof heraſter followeth, *The words betwixt the Queen*, &c.

And after this was read, the ſaid *Crawford* ſaid, that as ſoon as the Quene of *Scotts* had ſpoken with the King his Maſter at *Glaſgow* from tyme to tyme, he the ſaid *Crawford* was ſecretly informed by the King of all things which had paſſed betwixt the ſaid Quene and the King, to the intent he ſhuld report the ſame to the Erle of *Lenox* his Maſter, becauſe the ſaid Erle durſt not then, for diſpleaſure of the Quene, come abroad, and that he did, immediately at the ſame tyme, write the ſame word by word, as near as he poſſibly could carry the ſame away: And ſure he was, that the words now reported in his wryting, conceerning the communication betwixt the Quene of *Scotts* and him, upon the way near *Glaſgow*, are the very ſame words, in his conſcience, that were ſpoken: And that others being reported to him by the King, are the ſame in effect and ſubſtance, as they were delivered by the King to him, tho' not percaſe in all parts the very words themſelves. The confeſſion of the ſaid *Thomas Crawford* in wryting hereafter followeth thus, *The words betwixt the Queen and me*, &c.

After this the ſaid Erle of *Murray* and his collegues produced another long writing in royall paper, ſubſcribed by Mr. *James Makgill*, being, as they ſaid, an act of parliament, conteyning the whole form of the dimiſſion of the crowne by the Quene, and of the coronation of the King.

The

The which wryting or act, in this manner followeth, *In the parliament holden and begun at* Edinborough *the 15th day of* December, *the year of God* 1567, &c. To be seen in the beginning of the firſt edition of the acts of that parliament.

NUMB. XCII.

The journals of the proceedings of the Lords of the privy council of *England*, with ſome of the chief of the Nobility, called to meet with them at *Hampton-court* the 14th and 15th days of *December* 1568.

Altered and interlined with Secretary *Cecil*'s hand.

Apud Hampton-court, *die* Martis xiv. Decembris 1568.

THE Quene's Majeſty commanded the Lords of her privy counſell to call unto them the Erles of *Northumberland*, *Weſtmarland*, *Shrewsbery*, *Worceſter*, *Huntington* and *Warwyk*, to whom being aſſembled with the ſaid counſell, was declared, That hir Majeſty, according to hir declaration heretofore made unto them, of the cauſe of their calling to hir preſence, which was as ſhe ſhould find cauſe ſo to participat unto them (as being principall perſons of the Nobility of hir realme) the ſtate of the cauſe of the Quene of *Scotts*: So now alſo finding much tyme to be ſpent in the hearing of the ſame ſince their coming, and yet nevertheleſs as much done as poſſible was to be don with in this time, and the matter at ſome ſtaye, by meanes that the Quene of *Scotts* Commiſſioners have refuſed any more conference: Hir Majeſty thought good, not knowing how by common report they might be therof informed, to let them under-

underſtand truly and playnly the ſtate of the ſame, as herein making them her Counſellors, ſpecially to keep the ſame ſecret to themſelves, without prejudicing of the one part or the other, by any final opinion or determination to be conceived with themſelves: Which as hir Majeſty ment to obſerve for hir ſelf, ſo would ſhe gladly have it obſerved by them. Which intention of hir Majeſtie being declared unto the ſaid Lords, they all thanked hir Majeſty for this hir favourable goodnes ſo to eſteme of them, and promiſed to obſerve hir Majeſty's direction, both in the ſecrecy, and in the ſuſpenſion of their judgments.

This being done, the whole procedings of the Commiſſioners firſt at *York*, and next at *Weſtminſter*, untill the laſt ſeſſion ended at *Weſtminſter* about the 10th of this month, was to them ſommarely declared and repeated: Wherin, beſides many circumſtances tending to make demonſtration of the ſincerity of the Quene's Majeſty and hir Commiſſioners, there was briefly ſhewed unto them, how the Quene of *Scotts* Commiſſioners firſt accuſed the Erle of *Murray* and his colleagues, being now in commiſſion for, and in the name of *James* King of *Scotts*: And how they did therto make anſwer, by juſtification of themſelves by the lawes of the realme, without any ſpecial depraving or calumniating the honour of the Quene; and next, that of the replication of the other party. And furder was declared, how herupon the ſame treaty and conference, upon reaſonable cauſes, was removed to *Weſtminſter*; and in what ſort the ſame conference was there revived; and how the Erle of *Murray* and his colleagues, being charged to anſwer the replication, after proteſtation made, were unwilling to procede any furder to touche the name and honor of the Quene, if their adverſaries had not preſſed them with lack of loyalty. For remedy wherof they produced by way of addition to their firſt anſwear, wherin they avowed, That as the Erle *Bothwell* was the executor of the murder, ſo was the Quene of *Scotts* a procuror and deviſor of the ſaid murder. And after this was likewiſe declared unto the ſaid Erles, acording to the ſeveral memorials therof already made and put in writing, the

The which wrytting or act, in this manner followeth: *In the parliament holden and begun at* Edinborough *the 15th day of* December, *the year of God* 1567, &c. [To be seen in the beginning of the first edition of the acts of that parliament.]

NUMB. XCII.

Part of a pretended journal of Queen *Mary*'s proceedings, exhibited by *Murray* and his associates, so far as it relates to their account of the letters to *Bothville*, &c.

From a Copy marked by *Cecil*, *Cot. Libr. Cal. B.* ix. *fol.* 247.

January 21. 1566. THE Quene tuik hir journay towards *Glascow*, and was accompanyit with the Erlis of *Huntly* and *Bothwell* to the *Kalendar*, my Lord *Levistoun*'s Place.

23. The Quene came to *Glascow*, and on the rode met hir *Thomas Crauford* from the Erle of *Lennux*, and Sir *James Hamilton*, with the rest mentionit in hir letter. Erle *Huntly* and *Bothwell* returnit that same nycht to *Edynbrough*, and *Bothwell* lay in the town.

24. The Quene remaynit at *Glascow*, lyck as she did the 25th and the 26th, and hayd the conference with the King whereof she wryttis; and in this tyme wrayt hir BYLLE and uther letteris to *Bothwell*. And *Bothwell* this 24th day wes found verray tymus wesëing the Kyng's ludging that wes in preparing for him, and the same nycht tuik journay towards *Lyddisdaill*.

27. The Quene (conforme to hir commission, as she wryt-

wryttis) broucht the King from *Glaſcow* to the *Kalendar* towards *Edynbrough*.

Jan. 28. The Quene broucht the King to *Linlythquow*, and there remained all morn, quhill ſhe gat word of my Lord *Bothwell* his returning towards *Edynbrough*, be *Hob Ormiſtoun*, ane of the murtheraris. The ſame day the Erle *Bothwell* came back from *Lyddiſdaill* towards *Edynbrough*.

29. She remayned all day in *Linlythquow* with the King, and wraytt from thence to *Bothwell*.

30. The Quene broucht the King to *Edynbrough*, and paſt him in his ludging quhair he endit; and *Bothwell* keiping tryiſt met hir upon the way.

February 5. She ludged all nycht under the King, in the chalmer quhairin the poulder was layd thairefter, and quhairof *Paris* her chalmer-child reſſavit the key.

7. She ludged and lay all nycht agane in the foreſaid chalmer, and from thence wrayt that ſame nycht the letter concerning the purpoſe of the Abbot of *Halyruidhouſe*.

8. She confronted the Kyng, and my Lord of *Halyruidhouſe*, conform to hir letter wryttin the nycht befoir.

9. She and *Bothwell* ſoupped at the bankett with the Biſhop of the *Yllis*, and efter paſt up accompanyit with *Argyle*, *Huntly* and *Bothwell*, to the King's chalmer, and thair thay remaynit cheriſſing him, quhill *Bothwell* and his complices hayd putt all thingis to ordour, and *Paris* hir chalmer-child hayd reſſavit in hir chalmer the pulder, and came up agane and gef the ſign. And thay departit to *Baſtien's* banquet and maſque, about eleven houris, and thairefter thay baith returnit to the abbay, and talkit quhill twelve houris and eftir.

10. Betwix twa and thré of the clock the King was blawin in the ayr be the pulder.

11. The Quene wrayt to my Lord of *Lennux*, promiſing to tak tryall.

12. The Kyng's body was broucht down, and layd in the chapell, and ſhe remaynit at *Edinbrough* with *Bothwell* to the 21ſt heirof. In this meyn tyme wer mony placardis ſet up.

oup. And *Hary Killigrew* arryvit from the Quene's Majeſtie [of *England.*]

Feb. 21. Thay paſt togidder to *Seytoun*, and thair paſt thair tyme meryly to the 10th of *Marche*, quhill *Le Crok* the *French* Ambaſſadour perſwadit hir to return to *Edinbrough.*

Marche 10. Thay returnit to *Edinbrough* be perſuaſion of *Le Crok*, quhair thay remaynit quhill the 24th of the ſame, earneſtly trying the upſetting of the placardis, but never word of the Kyng's murther. At this tyme my Lord Regent purchaiſt leif to depart.

24. Thay returnit agane to *Seytoun*, and thair paſt thair tyme meryly in all ſolace, quhill the 10th of *Apryll* 1567.

April 5. The ſecund contract of mariage, *per verba de præſenti*, wes maid and wryttin be my Lord of *Huntly*, quha for his reſtoring agane the forfaltour, had purchaſit ane procuratory ſubſcryvit with his ſiſter's hand, then wyif to *Bothwell*; and thair wes the counſale haldin for the cleanſing of *Bothwell.*

9. My Lord Regent departit furth of *Scotland.*

10. Thay returnit to *Edinbrough*, to *Bothwell*'s cleanſing.

12. Quhilk wes *Setterday*, *Bothwell* wes cleanſit werray ſtrangely, as the proceſs beiris.

14. Quhilk wes *Mounday*, the firſt day of the parliament, ſet onlie for reduction of my Lord *Huntly*'s forfaltour.

18. Quhilk wes *Friday* the day of the ſummonds of reduction of the Erle of *Huntly*'s forfaltour.

19. Quhilk wes *Setterday*, the decreyt of reduction wes gevin for the Erle of *Huntly*, and all his freindis. The ſame nycht the Lordis paſt the band efter ſupper to the Erle *Bothwell*, being drawin ſecretlie be him to the ſupper.

21. *Viz. Mounday*, the Quene raid to *Stirling*, as it wes devyſit, and from thence wreyt the letteris concerning the purpoſe devyſit of hir raviſhing; quhair *Huntly* cam to hir, and began to repent him. In the mene tyme *Bothwell* remainit at *Edinbrough*, aſſembling his forces.

April 23. She came to *Linlythquow*, and *Bothwell* came to *Haltoun* hard by.

24. She ſent the Erle of *Huntly* to *Bothwell* in the morning, quha met hir upon the way, ſeamit to raviſh hir, and tuik *Huntly* and the Secretarie priſoneris, and led them all to *Dumbar*, and thair remainit to the 3d of *May*.

26. The firſt precept for the partiſing of the Erle *Bothwell* and his wyif, was direct furth from the Commiſſarys of *Edinbrough*.

27. The ſecond precept of partiſing, befoir Maiſter *John Manderſtoun*, Commiſſair to the Biſhop of *Sanctandrois*, wes direct furth.

May 3. She wes conweyit be *Bothwell*, and all his freindis, with ſperris, to *Edinbrough* caſtell, and for fear of accuſation kaſt thair ſperris from thame be the way; and the nixt *Sunday* hir bannis wer proclamit be hir awin precept, ſubſcrywit with hir hand.

12. She cam with *Bothwell* out of the caſtell to the tolbuyth befoir the Lordis of ſeſſion, and tuik hir proteſtatioun and act thair of hir libertie; and ſo paſt togidder to the abbay.

15. Thay wer publicklie mareit efter baith the ſortis of the kirkis, reformit and unreformit, and remaynit to the 7th of *June*.

June 7. He purpoſit and rayd againſt the Lord *Howme* and *Ferneherſt*, and ſo paſt to *Melros*, and ſhe to *Borthwick*.

11. The Lordis cam ſuddanlie to *Borthwick*: *Bothwell* fled to *Dumbar*, and the Lordis retyrit to *Edinburgh*. She followit *Bothwell* to *Dumbar* diſguyſit.

15. Thay cam from *Dumbar* to *Carbarryehill*, quhair the Lordis met thame. The Erle *Bothwell* fled, and ſhe cam to *Edinbrough* with the Lordis.

16. She paſt to *Lochlevin*, and thair remaynit to the 2d of *May* 1568.

20. *Dalgleiſhe*, chalmer-child to my Lord *Bothwell*, wes takin, and the box and letteris quhilk he brought out of the caſtell.

caſtell. About this tyme my Lord *Buthwell* fled be ſea to the North.

July 24. The Quene maid reſignation of hir crowne in favour of hir ſone, now our ſoverane, and paſt commiſſiounis of government. At this tyme Sir *Nycholas Throgmorton* was in *Scotland*.

29. The King was crownit at *Striviling*. *Middilmoir* was preſent.

Auguſt 14. My Lord of *Murray*, now Regent, returnit furth of *France*, and cam to *Edinbrough*.

17. My Lord paſt to *Lochlevin*, and ſpake with the Quene.

22. My Lord now Regent wes movit to accept upon him the commiſſion of regentry, and gef his ſolemnit ayth for dew miniſtration.

December 15. The parliament was haldin, and all thingis confirmit thairin.

May 2. The Quene eſcapit furth of *Lochlevin*, and cam to *Hamiltoun*, my Lord being in *Glaſcow*.

13. The field was ſtrykin at *Langsyid*, beſydis *Glaſcow*.

15. Maiſter *Middilmoir*, ſent from the Quene's Majeſtie [of *England*] cauſit my Lord from thencefurth abſteyn from armour and violence.

NUMB.

NUMB. XCIII.

Proceedings at Hampton-court, Monday *the 13th of* December 1568.

From a minute of Secretary *Cecil.*

The Lord Keeper.	*Sir* WALTER MILDMAY.
Lord Marquis NORTHAMPTON.	*Duke of* NORFOLK.
	Erle of ARUNDELL.
Erle of DARBY.	*Erle of* SUSSEX.
Erle of BEDFORD.	*Erle of* LECESTER.
Lord Admyrall.	*Lord* CHAMBERLAYN.
WILLIAM CECILL.	*Sir* R. SADLER.

IT was thought mete to adviſe the Quene's Majeſty, that, accordyng to hir Majeſty's declaration of late, made to the reſt of the Erles at ther firſt comyng thyther, they ſhuld be duly informed by hir Majeſty's Commiſſioners, of the whole proceedings in the conference at *Weſtminſter* betwixt them and the Commiſſioners for the Quene of *Scotts*, and the regent and his colleagues; and that alſo the original lettres and wrytyngs exhibited by the regent, as the Quene of *Scotts* lettres and wrytyngs, ſhuld alſo be ſhewed, and conference thereof made in their ſight, with the lettres of the ſaid Quene's being extant, and hertofore wrytten with hir own hand, and ſent to the Quene's Majeſty; wherby may be ſerched and examyned what difference is betwixt the ſame.

Item, That the ſayd Erles ſhuld be firſt charged not to notify any thing to them ſhewed to the prejudice of the Quene of *Scotts*, untill hir furder anſwer may be had.

Item, It was thought mete that hir Majeſty ſhuld anſwer the Biſhop of *Roſs* and his company, as ſervitors to the *Scottiſh* Quene, not as Commiſſioners: "That according to "hir laſt anſwer made to them upon the 4th of this month, "that

" that ſhe had cauſed the Erle of *Murray* and his company " to be ſtreightly and ſharply reproved and rebuked, for their " audacious and unloyall accuſation of the Quene, to whom " they were natyve ſubjects, in ſuch large ſort, as a more " erneſt and ſharper reproof culd not be deviſed in conve- " nient words: Wherupon they being at the ſame aſtoniſh- " ed, anſwered, That they did not thynk hir Majeſty had " any juſt cauſe ſo to reprove and condemn them, except " their adverſaries wold deny their former accuſation. And " therfor to avoyde the hard judgment of hir Majeſty, and " to deliver themſelves of the ſlaunder and infamy of unloy- " all ſubjects, they offered to exhibit and ſhew furth to the " Commiſſioners ſundry particular proves of great eviden- " cy to mayntain their former anſwers; which they alſo " meant no wiſe to produce but upon ſuch urgent neceſſitie, " as in their former proteſtation is contained. And ſo they " have exhibited diverſe particular matters which cannot be " but of great preſumption to mayntain their former anſwer, " untill the ſame may be by ſome good anſwer refuted and " avoyded.

" And therfor, if the ſayd Biſhop and his colleagues had " not (as it is ſuppoſed) diſſolved their commiſſion by *Scot-* " *tiſh* proteſtations, wherby they have not, as it is thought, " now any authoritie to make anſwer thereto, they ſhuld be " made privie to the ſayd evidences and proofs, wherby hir " Majeſty might have of them ſome good anſwer, to the ac- " quitall of the Quene of *Scotts* hir good ſiſter, which hir " Majeſty wold be glad might be accompliſhed.

" And therfore wiſheth that they wold advertiſe the " Quene their Miſtreſs of thus much; and for whoſe pur- " gation and acquitall hir Majeſty will be both content and " glad to receave from hir ſome good anſwer: For hir Ma- " jeſty meaneth not to prejudice hir, how evident ſoever the " allegations againſt hir ſeme to be, untill ſhe ſhall anſwer " the ſame, if ſo ſhe will. But as for the demand lately " made by them, to have hir come in perſon into the pre- " ſence of hir Majeſty, ſhe cannot agree thereto, without o- " pen prejudice to her own honour, untill by ſome good

" anſwer

" anſwer the great and manifeſt preſumptions that are now
" produced againſt hir, may be either clearly avoyded, or
" ſome wiſe qualefyed. And in the mean tyme, if it ſhall
" pleaſe hir to gyve authoritie to any hir Commiſſionars to
" anſwer the ſame, or otherwiſe to anſwer the ſame hirſelf,
" before any to be appointed by the Quene's Majeſty, or by
" any other mean, hir Majeſty will be right glad thereof,
" and will for that purpoſe cauſe expedition to be made of
" any thyng therto requiſit: And untill ſhe may hear from
" hir, ſhe will ſuſpend hir judgment, and cauſe alſo all o-
" others hir Counſellors and Miniſters, being privie here-
" unto, to do the lyke, and to kepe the ſame in ſilence."

NUMB. XCIV.

The journals of the proceedings of the Lords of the privy council of *England*, with ſome of the chief of the Nobility, called to meet with them at *Hampton-court*, the 14th and 15th days of *December* 1568.

Altered and interlined with Secretary *Cecil*'s hand.

Apud Hampton-court, *die* Martis xiv. Decembris 1568.

THE Quene's Majeſty commanded the Lords of her privy counſell to call unto them th' Erles of *Northumberland*, *Weſtmorland*, *Shrewsbery*, *Worceſter*, *Huntington* and *Warwyk*, to whom being aſſembled with the ſaid councell, was declared, That hir Majeſty, according to hir declaration heretofore made unto them of the cauſe of their calling to hir preſence, which was, as ſhe ſhould find cauſe, ſo to participat unto them, as being principall perſons of the

the Nobility of hir realme, the ſtate of the cauſe of the Quene of *Scotts*: So now alſo finding much tyme to be ſpent in the hearing of the ſame ſince their coming, and yet nevertheleſs as much done as poſſible was to be done within this time, and the matter at ſome ſtaye, by meanes that the Quene of *Scotts*. Commiſſioners have refuſed any more conference: Hir Majeſty thought good, not knowing how by common report they might be therof informed, to let them underſtand truly and playnly the ſtate of the ſame, as herein making them her Counſellors, ſpecially to keep the ſame ſecret to themſelves, without prejudicing of the one part or the other, by any final opinion or determination to be conceived with themſelves: Which as hir Majeſty ment to obſerve for hir ſelf, ſo would ſhe gladly have it obſerved by them. Which intention of hir Majeſtie being declared unto the ſaid Lords, they all thanked hir Majeſty for this hir favourable goodnes ſo to eſteme of them, and promiſed to obſerve hir Majeſty's direction, both in the ſecrecy, and in the ſuſpenſion of their judgments.

This being done, the whole procedings of the Commiſſioners, firſt at *York*, and next at *Weſtminſter*, untill the laſt ſeſſion ended at *Weſtminſter* about the 10th of this month, was to them ſommarely declared and repeated: Wherin, beſides many circumſtances tending to make demonſtration of the ſincerity of the Quene's Majeſty and hir Commiſſioners, there was briefly ſhewed unto them, how the Quene of *Scotts* Commiſſioners firſt accuſed the Erle of *Murray* and his colleagues, being now in commiſſion for, and in the name of *James* King of *Scotts*: And how they did therto make anſwer, by juſtification of themſelves by the lawes of the realme, without any ſpecial depraving or calumniating the honour of the Quene; and next thereto, the replication of the other party. And furder was declared, how herupon the ſame treaty and conference, upon reaſonable cauſes, was removed to *Weſtminſter*; and in what ſort the ſame conference was there revived; and how the Erle of *Murray* and his colleagues, being charged to anſwer the replication, after proteſtation made, were unwilling to procede any furder to

touch the name and honor of the Quene, if their adverſaries had not preſſed them with lack of loyalty. For remedy wherof they produced by way of addition to their firſt anſwear, wherin they avowed, That as the Erle *Bothwell* was the executor of the murder, ſo was the Quene of *Scotts* a procurer and deviſer of the ſaid murder. And after this was likewiſe declared unto the ſaid Erles, acording to the ſeveral memorials therof already made and put in writing, the acts paſſed in all the former ſeſſions at *Weſtminſter*: For the more perfect declaration of all which ſaid acts, there was firſt produced a writing in manner of articles, which was exhibited to the Commiſſioners the 6th of *December*, as appears in the memorial of that ſeſſion.

And before thoſe articles were read, there were produced ſundry lettres written in *French*, ſuppoſed to be written by the Quene of *Scotts* own hand, to the Erle *Bothwell*; and therwith alſo one long ſonnet; and a promiſe of marriage in the name of the ſaid Quene with the ſaid Erle *Bothwell*. Of which lettres the originals, ſuppoſed to be written with the Quene of *Scotts* own hand, were then alſo preſently produced and peruſed; and being read, were duly conferred and compared, for the manner of writing and faſhion of orthography, with ſundry other lettres long ſince heretofore written, and ſent by the ſaid Quene of *Scotts* to the Quene's Majeſty. And next after theſe was produced and read a declaration of the Erle *Morton*, of the manner of the finding of the ſaid lettres, as the ſame was exhibited upon his oath the 9th of *December*: In collation wherof no difference was found. Of all which lettres and writings the true copies are contained in the memorial of the acts of the ſeſſions of the 7th and 8th of *December*.

And after this were alſo produced and read the examination of *John Haye* the younger of *Tallowe*, and of *John Hepborne*, and *George Dalglys*, who were executed at *Edinburgh* for the ſaid murder, which be conteyned amongſt the acts of the ſeſſion of the 8th of *December*. And next after that was read the confeſſion and depoſition of *Thomas Craw-*

Crawfurd, conteyned amongſt the writings of the 9th of *December*.

And foraſmuch as the night approached, it was thought good to differ the furder declaration of the reſt untill the nixt day following.

NUMB. XCV.

Die Mercurii, xv. *Decembris* 1568.

THE Lords of the privy counſell having the Erles before mentioned with them, declared, That where yeſterday mention and report was made of a book of articles being divided into five parts, they ſhuld alſo ſee and heare the ſame book, and ſo the ſame was throughly and diſtinctly read unto them. And after the ſame was produced and read, the depoſition of one *William Powry*, one of the four that was executed at *Edinburgh*, as the ſame depoſition was exhibited the 8th of *December*. Next wherunto was produced, read and viewed, the original writing, ſuppoſed to be written by the Erle of *Huntley*, being a Contract of mariage betwixt the Quene and the Erle *Bothwell*, dated at *Seaton* the 5th of *Aprill*, and ſubſcribed by the Quene and the Erle *Bothwell* with their own proper handes, as was alledged: The true copy wherof is amongſt the things exhibited the 7th of *December*. After this was alſo produced and read the extract of the arraynment and deliverance of the Erle *Bothwell*, by an aſſiſe, at *Edinburgh* the 12th of *April* 1567, according to the copy thereof, being amongſt the writings exhibited the 7th of *December*. Nixt after this was alſo produced, read and viewed, a writing ſubſcribed, dated the 10th of this month of *December*, ſubſcribed by the Erle of *Murray* and his colleagues, to teſtify the former writings produced, as written by the ſaid Quene of *Scotts*, to be hir own hand-writing. Which alſo is to be ſeen amongſt the writings exhibited to the Commiſſioners the 12th of *December*. [*Q. V. ſupra*, pag. 92.]

There was alſo produced and read a writing of another de-

depoſition of *Thomas Crawfurd*, upon his oath exhibited to the Commiſſioners the 13th of *December*, concerning certen anſwers made to him by the foreſaid *John Hepborne* and *John Haye*, upon the ſcaffold in *Edinburgh*, inſtantly before their execution.

There was alſo produced, read and ſhewed to them, the form and manner of the holding of the parliament at *Edinburgh* the 15th of *December* 1567, wherin the numbers of the three Eſtates were there expreſſed, and alledged to be as great an aſſembly of the ſaid eſtates, as had been any time by the ſpace of one hundred years before: Which writing alſo is conteyned amongſt the reſt exhibited the 9th of *December*.

There was alſo report made unto them of an act of parliament made at the ſame time, conteyning the confirmation of the dimiſſion of the crown by the Quene of *Scotts*, and of the coronation of hir ſonne, and of the regency in the perſon of the Erle of *Murray*. At which parliament hath bene alledged, that the Erles of *Huntley* and *Argile*, and the Lord *Herrys*, did acknowledge the ſame authorities: And for that purpoſe, as a writing was produced before the Commiſſioners the 8th of *December*, to prove the ſame, ſo was the ſame writing read this preſent day; which writing is amongſt others exhibited the ſaid 8th day.

Beſides the production, reading and ſhewing of theſe ſundry kinds of writings here before mentioned, conſidering the length of time that was ſpent in the reading the foreſaid writings, many of them being of great length, there was a ſhort and juſt report made of ſundry other matters which were exhibited to the ſaid Commiſſioners, as the ſame may plainly appear amongſt the acts of the ſeverall ſeſſions of the ſaid Commiſſioners at *Weſtminſter*; as, the acts of the two ſeverall divorces, which are of great length in writing, and the acts of parliament for the attaynder of all the perſons charged with the murder. And it is to be noted, that at the time of the producing, ſhewing and reading of all theſe foreſaid writings, there was no ſpecial choyſe nor regard had to the order of the producing therof, but the whole

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writings lying altogether upon the counsel table, the same were one after an other shewed rather by hap, as the same did ly upon the table, than with any choyse made, as by the natures therof, if time had so served, might have been. And in the end it was said unto the said Erles, that in this sort they were now made participant of the whole state of the cause, even as largely as the rest of hir Majestie's Privy Counsel were: And therfore they were newly again required to have in remembrance hir Majestie's first charge to have the same kept in secret by them as hir Counsellors in this cause. And that where the Quene of *Scotts* Commissioners being made privy of this the accusation of the said Quene, have forborn to answer to the same, and refused also to have any furder conference in this matter, pressing only to have the Quene their Mistris permitted to come to the presence of the Quene's Majestie to make her answer, and otherwise to make no answer at all; it hath been considered by her Majestie, and not thought unmeet, in this sort following, to answer the said Commissioners, if they shall persist in the said request: That hir Majestie will be very willing and desirous, that some good answer may be made by the said Quene, either by her Commissioners and delegates, or by her own self, before such sufficient persons as her Majestie would send to her: But considering her Majestie had at her first coming into the realm, found it not mete for her own honour to have her, being so commonly defamed of so horrible crimes, to come to her presence, before she might be therof some wise purged, so also now the crimes, wherewith she hath been by common fame burdened, being by many vehement allegations and presumptions, upon things now produced, made more apparent, she can not, without manifest blemish of hir own honour, in the sicht of the world, agree to have the same Q. to cum into hir presence, untill the said horrible crimes may be by sum just and reasonable answer avoidit and removit from hir, which hir Majestie would wish might also be.

And in this sort hir Majesty's intention being opened to the said Erlis, in presence of the said privy council, the said

ſaid Erlis ſeverally made anſwer; Firſt acknowledging themſelves much bound unto hir Majeſtie, that it had pleaſed hir to impart to them the ſtait of this great cauſe, in ſo plain manner, as they did perceive it; wherin they had ſene ſuch foul matteris, as they thought truly, in their conſciences, That hir Majeſtie had juſt cauſe herein given to make to the ſaid commiſſioners ſuch ane anſwer, being as reaſonable as the caſe might bear; and the rather for that they could not allow it as meet for hir Majeſtie's honour to admit the ſaid Q. to hir Majeſtie's preſence, as the caſe now did ſtand.

NUMB. XCVI.

The Queene's Majeſtie's *anſwer*, wrytten by the Biſhop of *Roſs*.

Upon the 16*th day of* December, 1568. *At* Hamptoun-court.

THE Quenis Majeſtie, in preſens of hir Hienes maiſt honorabill counſall, my Lord *Kepar*, the Duke's Grace of *Norfolk*, Marques of *Northampton*, the Erlis of *Suſſex*, *Leceſter*, and *Bedford*, Lords *Clintoun*, and Chalmerland, Mr. *Secretarie*, Sir *Rauff Sadilar*, and Sir *Walter Myildmaye*, Knights, gaif anſwer to the ſupplication gifin in of befoir to hir Majeſtie be the commiſſioneris of the Quenis Majeſtie of *Scotland*, as follows:

My Lords, the laſt day ye were heir at me, I declarit to yow the caus quhy I gaif yow not ane direct anſwer to your ſupplicatione, quhilk I doubt not bot ye haif weill aneuch in rememberens; and now I intend to gif yow ane reſolut anſwer thereto. Your ſupplicatione conſiſts principallie in tua poyntis: The ane is, Ye deſirit the Quene zour Maiſtres to be admitted to cum to my preſens: The uthir, That, gif I admittit not the ſame, your commiſſioun and inſtructionis wald

wald not thole yow to treat ony mair in that matter, or to anſwer forder befoir my commiſſioneris. To ye firſt, I ſchew you of befoir, the caus quhy ſhe was ſuſpendit ſa lang fra my preſens, was, be reſſoun of the evill bruit was paſt upon hir, as being participant of ſic ane haynous crime as ſhe wes chargit with by hir ſubjects; and thought not nedefull to travell hir to cum heir, unto the tyme I myght underſtand quhou thay myght verifie thair allegeance. And to that effect, incontinent thairefter I directit my Lordis my Commiſſionaris to *London*, to charge the Erle of *Murray* and his collegues with thair audacious procedyng, and to ſee and inquire of thaim quhat they had to pruif the ſame quhilk they haif hard and ſchawin to me. And but dout, gif I had caus to ſuſpend hir of befoir fra my preſens, I haif much moir now to hald me in ſuſpens, heirand the preſumptionis and uthers thingis, quilk I haif ſence. Thairfoir I haif deliberat, or ſhe cum to my preſens, to gif hir thré thingis in hir optione, quilks thay ſall declare unto hir. The firſt is, Quhidder ſhe will anſuer be yow hir Commiſſionaris, or ony uthers authorized be hir thairto, befoir my Commiſſionaris, of theis thingis quilks ar laid to hir charge.

Secondly, Gif ſhe will not do that, to anſuer hirſelf be hir awin writing to the ſame.

Thirdlie, Gif ſhe thinks not that to be done, Lat hir anſuer to ſum nobill men, quhome I ſall ſend with commiſſion to that effect, quha hes heird and reſſonit the matter with the uther party. And gif ſhe will not anſuer be ane of thir wayis foirſaid, it will be thought alſmekill as ſhe wer culpabill in the caus; and in that caiſe I can not with my honour admit hir to my preſens: And this is my determinat anſwer.

Indors'd by Secretary *Cecil*:

The Quene's Majeſty's Anſwer written by the Biſhop of Roſs, *but not truly nor fully.*

[Thus *Cecil.* But perhaps others will, from the preceeding paper, judge it to be truer than it appears in the new ſhape into which it was lick'd by himſelf; which follows:]

NUMB. XCVII.

Proceedings upon Thurſday *the* xvi. *day of* December 1568, *at* Hampton-court.

From Quene *Mary*'s Regiſter.

THE quhilk day the ſaidis Commiſſionaris for the Quenis Majeſtie of *Scotland*, being deſirit be the Quenis Majeſtie's command, to cum from *London* to *Hamptoun-court*, to reſſave the anſwer to thair ſupplicatioun, and ane direct and reſolute anſwer thairto; becauſe the uther was dilatorie, quhilk was gevin to thame of befoir: Thay being preſent befoir the Quenis Majeſtie, and hir honourabill counſall heirefter namit, hir Majeſtie pronuncit this anſwer as followis, quhilk thairefter was deliverit to thame, in form, be hir Hienes's Secretarie ſubſcrivit, as the ſamin beareth:

THE ſomme of hir Majeſtie's anſwere to the Biſhop of *Roſſe*, the Lord *Boyd*, the Lord *Hereys*, and the Abbot of *Kilwyning*, in the preſence of the Lord keper of the great ſeale, the Duke of *Norfolk*, the Marques of *Northampton*, the Erles of *Suſſex*, *Bedford*, and *Leceſter*, the Lord *Clynton* Admyrall, and Lord *Howard* Chamberlayn, Sir *William Cecill* Knight, principall Secretarye, *&c*, was: Wher, their requeſt lately exhibited to hir Majeſtie, conſiſted upon two points; the one, that the Quene their Miſtreſs might come to the preſence of hir Majeſty, and there make anſwer to the matters wherewith ſhe was charged: the other, if that wer not admitted, that they might be permitted to forbeare from any further conference herein: Hir Majeſtie had at the ſame tyme anſwered, as they knew well, that ſhe thought it more meyt to have the ſayd Quene's ſubjectis reproved for their audacious manner of accuſation of the Quene their ſoveraigne, the ſame being but generally alledged in words, than (as thoughe the ſame were to have bene creditted) to have had hir come up to anſwer in perſon:

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Accordinge to which hir anſwer than ſo gyven, hir Majeſty told them, That ſhe had cauſed the Lords hir Commiſſionars furthwith to call the Erle *Murray* and his company before them, and very ſharply to charge them for their ſo audacious procedings, as being diſloyall, and contrary to the duty of good and true ſubjects, and not to be ſuffred to paſſe unpuniſhed. Wherupon the ſaid Erle, and his being accordinglie reproved, anſwered, "That none of them "meant at any time to have uttered any thing in reproof of "the Quene: But being directly charged by their adverſa-"ries with ſuch great crimes as they coulde not paſſe over "without condemning themſelves unjuſtly; therfore, ac-"cording to a proteſtation which they had before that time "to that effect exhibited, and to avoyde and acquyte them-"ſelves of the ſame crymes, they were unwillingly forced, "for their own juſt defence, to procede as they have done. "And, for mayntenance therof, they produced and ſhewed "to the ſayd Lords, hir Majeſtie's Commiſſionaris, ſuch "matteris, as are very great and apparent preſumptions "and arguments to confirm the former common re-"ports of the crimes imputed to the ſaid Quene." Of which matters hir Majeſtie, by the declaration of hir Commiſſionars, had alſo underſtanding, to hir great admiration, and no ſmall grief; never looking to have heard of ſuch kind of matters, and ſo many againſt hir. And now therfore conſidering they wer come againe, to require a furder anſwer, hir Majeſty ſayd they ſhuld have a reſolute anſwer in this ſort:

"Hir Majeſty wold cauſe the ſame matters to be oppen-"ed and diſcovered to hir, if ſo that ſhe wold be content "to agree to make direct anſwer therto; for ſo hir Majeſty "thought it neceſſary, and alſo wiſhed it to be ſo ſufficient "as might acquite and diſcharge hir. For the manner "wherof, ſhe ſayd, ſhe wold propound to them three man-"ner of ways: The one was, for hir to ſend ſome one "truſty ſufficient perſon, or moe, therto authoriſed, with "hir anſwers: The other was, for hirſelf to give hir an-

" swer to such noble men as hir Majesty wold, (if she lyk-
" ed) send to hir: And the last was, to appoynt and au-
" thorise either these hir late Commissionars, or any others,
" to mak answer before hir Majesty's Commissionars. But
" as for hir coming to hir presence, considering at the first
" when she came into this realme, hir Majesty could not
" synd it than agreable to hir honor, beinge defamed only
" by common report, both here and abrode, in most parts in
" *Christendome*; much lesse could she now think it ether
" mete or honnorable for hir to cum to hir presence, con-
" sidering the multitude of matters and presumptions now
" lately produced against hir, such as in dede greved hir
" Majesty to think of. And therfore hir Majesty required
" them to accept this as hir answer, and to make report
" therof, by sending the same to hir, or otherwise, as they
" wold, all or some of them, to carry the same to hir;
" thinking it always very necessarie for hir to make answer:
" For otherwise whosoever should advise hir to forbeare ma-
" kyng answer, having so many wayes to do the same, on-
" ly becawse she might not come to hir Majesty's presence,
" howsoever they shuld seme and appeare to be good ser-
" vants for hir, surely they should rather be thought and
" judged for some other respects to betray hir. And ther-
" with hir Majesty required them to consider well, as hir
" servants, of this that she sayd. For it can not be well
" taken in the world for a reasonable excuse, if she be inno-
" cent, as hir Majesty wisheth hir to be found, to suffer
" hir self to be noted culpable of such horrible crimes, on-
" ly for lack of coming to hir Majesty's presence; and in
" no wise to cleare hirself to the world by any manner of
" answer: Nether could she synd how the Quene shuld
" more redely procure hir condemnation, than to refuse to
" answer." And so with many moe such like wordes and speeches, uttered at good length, not here remembred, hir Majesty's ernest meaning did appeare, that she wold gladly the said Quene might acquite hirself by some reasonable answer: And so ended.

And

And the ſaid Biſhop accepting this anſwer, and requiring to have it in writing, was anſwered, "That if he wold "himſelf put the ſame in writing as he could remember it, "and ſhew it to hir Majeſty, or ſend it to hir Secretary, if "any thing were therin miſtaken, it ſhould be reformed."

And immediatlie efter the ſaid anſwer was pronouncit be the Quenis Majeſtie, the ſaid Biſhop of *Roſs*, in name of his Soverane and Maiſtreſs, did declair to hir Hieneſs, beſoir hir Grace's counſal, the petitiounis and articlis following:

NUMB. XCVIII. *Ibid.*

ARTICLIS propounit to the Quenis Majeſtie of Ingland, *in preſence of hir Hienes's maiſt honorabill counſal, be the Biſhop of* Roſs, *in name of the Quenis Majeſtie of* Scotland, *immediatlie efter the pronouncing of the ſaid anſwer.*

PLEIS zour Majeſtie to call to remembrance the cauſe moving our ſoverane Lady and Maiſtres, the Quene of *Scotland*, to cum, of hir awin fré motive will, within this zour Majeſtie's realm, was upon the greit truſt and confidence ſhe had in zour Majeſtie, hir guid ſiſter, and maiſt tender and narreſt couſign of bluid in the warld; and upon divers and ſindrie faithful promiſes paſt beſoir betwixt zour Hienes and hir, and confirmit be writingis and taikinis laitlie ſent betwix zour Majeſtie and hir; and laſt of all, as zour Majeſtie has knawin, be *Beton*; hoping thairthrow to have obtenit ſupport at zour Majeſtie's handis, aganis hir unnatural, ingrate, and diſobedient ſubjectis; quha had not allanerlie impriſonit hir maiſt nobill perſoun, bot did quhat was in thame to tak away hir lyfe; and thairfoir to cauſe thame recognoſce thair duty to hir, as thair natural undoubtit liege Lady, and ſoverane Princeſs, that ſhe might en-

enjoy hir awin realme in quietneſs, according to hir calling be God.

And zour Majeſtie cauſit hir to be thankfullie reſſavit, and weill enterteinit; and taking the cair of hir cauſis upon zour Majeſtie, deſirit our Soverane maiſt earneſtlie to leive off all ſeiking of ayd from *France* or *Spainzie*, or ony uther countrie, and tak bot one ſtring in hir bow, quhilk was only zour Majeſtie's awin ayd; and tuik upon zour Hienes to dreſs our Soverane's cauſis to hir honour and contentment.

And becauſe zour Majeſtie thought guid the matter ſould be firſt eſſayit be appointment, rather than be force of armis, thair was a conference and meiting appointit at *Zork*, quhair your Majeſtie's Commiſſionaris and we, and uther Nobilmen, in our Soverane's name, did meit; Quhair we declarit, "That our Maiſtreſs, of hir awin clemencie, and "be zour Majeſtie's advice, wald give reſſonabill appoint-"ment to hir diſobedient ſubjectis; and that, notwithſtand-"ing thair former evil behaviour, upon thair recognoſcing "thair debtful obedience toward hir Majeſtie, quhom God has "callit to be thair heid in *Scotland*, thay might be reconcilit "and re-unite to the body of that commoun-weal quhair-"fra thair evil behaviour had caſt thame off." And for ſatisfying zour Majeſtie's pleaſour thairintill, and for the commoun weall, and quietneſs of hir countrey, hir Hienes has left nathing undone and unofferit, for hir part, quhilk might ſtand with hir honour; and all utterlie refuſit be thame.

And ſeing our Soverane's clemencie ſa abundantlie extendit towardis thame, quha was mair willing to have had thame reconcilit nor deſtroyit; and thay alwayis, out of thair inveterate ambitious malice, not onlie refuſit the ſamin, bot alſwa wrangouſlie laid hainous crymes to hir charge, aganis hir honour and royal eſtait. Quhilk gave occaſioun to us (hir rebellious ſubjectis being admittit and reſſavit to zour Majeſtie's awin preſence) to deſyre of zour Majeſtie maiſt humblie, that our ſaid Soverane might be permittit to have zour

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Hienes's preſence, in like manner, to declair beſoir zour Majeſty, zour Nobilitie, and Ambaſſadouris of uther countries reſident within this realme, hir awin innocency, als weill as hir ſaid rebellis had bene permittit to calumniat hir honour; and in cais of refuſal thairof, it being ſa reſſonabill, and nathing being done in the cauſe quhairfoir this conference was appointit, our commiſſioun and inſtructiounis wald not permit us to deal ony further in this conference, bot to diſſolve the ſamin, in the cais foirſaid, as we have done mair amplie befoir zour Majeſtie's Commiſſionaris; quhilk we beſeik zour Majeſtie to tak in guid part.

Further, ſen the matter hath not procedit conform to our Maiſtreſs's meaning and expectation, quha, at zour Majeſtie's deſyre, left off the ſeiking ayd of all uther Princes; ſwa that it appeiris, that not onlie our Soverane ſall not be haiſtelie reſtorit, bot alſwa hir trew and faithful ſubjectis ſall be oppreſt by the tyrannie of the uſurparis with hir awin pois, jewellis, and ſtrengthis; that zour Majeſtie thairfoir be not offendit, in cais heireſter our ſaid Soverane ſeik the ayd of uther Chriſtian Princes, for redreſſing of the greit wrangis and injuries done be hir rebellis towardis thair liege Lady and anoyntit Soverane.

Quhilk being weill weyit and conſiderit be indifferent earis, thay quha ſa oft have bene remittit be thair Soverane, for thair haynous crimes, ſall not be found habile to be competent accuſaris of thair ſaid Soverane; and doubtis not, quhen zour Majeſtie has weill digeſtit and conſiderit the haill matter, zour Hienes will not admit ſic exampil, prejudicial to all Princes: And prayis zour Majeſtie to remember the exampil of guid Emperouris, and in ſpecial *Trajan's*, quha wald never ſuffer ony man to ſpeik evil of Princes in his preſence, howbeit thay had bene deid, lat be to ſpeik of utheris that ar alive and abſent.

Alſwa, gif zour Majeſtie thinkis zou cannot guidly reſtoir our Maiſtreſs, be zour Hienes's ayd and ſupport, to hir awin eſtait and realme, at the leiſt zour Majeſtie will permit hir to paſs into hir awin countrey, for the adminiſtratioun of the

the ſamin, and for the releif of hir faithful ſubjectis, quha ar oppreſt dayly by hir uſurparis, in ſéing of ſouldiouris and men of weir with hir Hienes's awin geir, in reſpect ſhe came here voluntarily on the truſt ſhe had in zour Majeſtie's honour and promiſe befoir paſt.

Item, In cais zour Majeſtie thinkis not this guid, tho' it be maiſt reſſonabill, at the leiſt lat hir paſs into *France*, quhair hir dowarie lyis, that ſhe may live ane honorabill lyfe, according to hir eſtait.

It will pleis zour Majeſtie alſwa, that we may have ane reſolute anſwer in writ to thir premiſſis, quhairwith we may diſcharge us of our duty, conform to our commiſſioun, at our Maiſtres's handis; and that we may have zour Majeſtie's paſport to retire to our awin countrie, ſen our Maiſtres's buſines takis na effect according to our expectatioun: For we ar conſtranit in ane manner thairto, becauſe it is not for the like of us to remane heir upon our awin charges, (our livingis at hame being violentlie reft fra us) as it is to hir rebellious ſubjectis to remane heir, quha maintenis thair haill trayn upon our Maiſtres's pois and jewellis.

Thir foirſaidis articlis wer proponit and ſpokin to the Quenis Majeſtie of Ingland, *in preſence of hir haill counſal, be the Biſhop of* Roſs, *in name of the reſt of the Commiſſionaris for the Quenis Majeſtie of* Scotland, *eſter thay had reſſavit ane direct anſwer to thair ſupplicatioun, at* Hampton-court *the* xvi. *day of* December, 1568.

NUMB. XCIX. *Ibid.*

The Engliſh *Queen's anſwer to the preceeding articles.*

TO the quhilkis petitiounis and articlis foirſaidis, the Quenis Majeſtie of *Ingland* gave anſwer, "That ſhe "culd not think thame guid nor truſtie ſervandis nor coun-"ſallouris to hir guid ſiſter, quha wald labour hir to appoint "with

"with hir ſubjectis at this preſent, ſeing thair unnatural "behaviour ſhawin be thame in accuſing of thair native "Soverane: And thairfoir hir Majeſtie culd not think it "might ſtand with hir honour to labour ony appointment "amangis thame. Bot gif thay pruifit not thair accuſati- "oun, quhilk thay had gevin in, thay ſuld ſmart for it.

"And as to the uther heidis proponit, nather culd ſhe, "nor wald give anſwer thairto, untill ſhe wer certifyit be "the Quene of *Scotland*, quhidder ſhe wald anſwer to ſic "thingis as wer publiſht aganis hir be hir ſubjectis, be ane "of the thré wayis contenit in hir Majeſtie's anſwer."

And to that effect hir Majeſtie grantit a paſport to the ſaidis Commiſſionaris to paſs to *Bowton*, to the Quene thair Maiſtreſs, to report hir anſwer thairupon; bot wald not be content that ony of thame ſould depart into *Scotland* beſoir the end of this conference. And ſwa thay departit to *London*, quhair the Biſhop of *Roſs* and my Lord *Boyd* preparit thameſelfis to depart the xxij. day of *December* from *London*.

NUMB. C.

A Letter from Queen Elizabeth *to Queen* Mary, *all in* Cecil's *hand.*

From the paper-office.

MADAME, whileſt your cauſe hath bene herein treated upon, we thought it not needful to write any thing thereof unto you, ſuppoſing always that your Commiſſioners wolde thereof advertiſe, as they ſaw cauſe. And now ſithen they have broken this conference, by refuſing to mak anſwer, as they ſay, by your commandement, and for that purpoſe they *alſo have required licence to* * return to you. Al-

* Theſe words have been daſh'd through with a pen, and are accordingly wanting in this letter as publiſhed by *James Anderſon*,

Although we thinke, yow ſhall by them perceive the whole procedyngs, yet we cannot but let yow underſtand by theſe our letters, That as we have bene very ſory of long tyme for your miſhappe and greate trouble, ſo fynd we our ſorrows now doubled, in beholding ſuch thyngs as ar produced to prove your ſelf cauſe of all the ſame. And our greif herin is alſo increaſed, in that we did not thynk at any tyme to have ſeen † or heard ſuch matters of ſo great apparence and moment to charge and loden * yow: Nevertheleſs, both in friendſhip, nature, and juſtice, we ar moved to cover theſe matters, and ſtay our judgment, and not to gather any ſenſe hereof to your prejudice, before we may hear of your direct anſwer therunto, according as your Commiſſioneris underſtand our meaning to be; which, at their requeſt, is delivered to them in wryting. And as we truſt they will adviſe yow for your honor, to agree to make anſwer, as we have motioned them, ſo ſurely we cannot but, as one Prince and near couſin regarding an other, moſt erneſtly as we may, in termes of freindſhip, require and charge you, not to forbear from anſwering. And for our part, as we ar hartely ſorry and diſmayed to find ſuch matter of your charge, ſo ſhall we be as hartely glad and well content to hear of ſufficient matter for your diſcharge. And although we doubt not but you are well certifyed of the diligence and care of your Miniſters having your commiſſion, yet can we not, beſide an allowance generallie of them, ſpecially note to you, your good choice of this bearer, the Biſhoppe of *Roſſe*, who hath not only faithfully and wiſely, but alſo ſo carefully and dutifully, for your honour and weale, behaved himſelf, and that both privatly and publickly, as we cannot but in this ſort commend him unto yow, as

from *Cot. Libr. Cal. C.* 1. *fol.* 272, in the end of the 4th vol. of his Collections, p. 183.

† How true this is, appears from Numb. 17. 18. & 48.

* For *loden*, *James Anderſon* has the word *condempne*. Whether he, or *Cecil* himſelf, made the alteration, I know not; but ſure it is, there had been no proper condemnation.

as we wiſh yow had many ſuch devoted diſcrete ſervants; for in our judgment we think ye have not any in loyaltie and faithfulnes can overmatch him. And this we are the bolder to wryte, conſidering we take it the beſt trial of a good ſervant to be in adverſitie, out of which we hartely wiſh you to be delivered by the juſtification of your innocency. xxi. *Decemb.* 1568.

NUMB. CI.

CHALLENGES betwixt the Erle of *Murray*'s party and Lord *Herys*.

From ſtate papers in *Biblioth. Pepyſian, Magdalene College, Cambridge*, fol. 148.

I. *Challenge to Lord* Herys *by Lord* Lindſay.

Lord Hereis,

I AM informit, that ze have ſpokin and affirmit, that my Lord Regentis Grace, and his cumpanie here preſent, wer giltie of the abhominabill murthour of umquhile the King, our ſoverane Lordis fader. Gif ze have ſwa ſpokin, ze have ſaid untrewlie, and thairin have leyit in zour throte, quhilk I will mantene, God-willing, aganis zou, as becomis me of honour and dewtie: And heirupon I deſire zour anſwer. Subſcrivit with my hand, at *Kingſton*, the 22d day of *December*, 1568.

PATRICK LYNDSAY.

NUMB. CII.

II. *Lord* Herys's *return to the preceeding challenge; carried by* John Hamiltoun *of* Broomhill.

Lord Lyndſay,

I HAVE ſene ane writing of zours, the xxij. of *December*, and thairby underſtands, "Ze ar informit, that I have "ſaid, and affirmit, that the Erle of *Murray*, quhom ze call "zour Regent, and his cumpanie, ar gyltie of the Quenis huſ-"bandis ſlauchter, father to our Prince, and gif I ſaid it, "I have leyit in my throte; quhilk ze will mantene aganis "me, as becumis zou of honour and dewtie."

In reſpect thay have accuſit the Quenis Majeſtie, mine and your native Soverane, of that foul crime, far by the dewtie that guid ſubjectis aucht, or ever has bene ſene to have done to thair native Soverane; I have ſaid, "Thair "is of that cumpanie, preſent with the Erle of *Murray*, "giltie of that abhominabill treſſoun, in the foirknawledge "and conſent thairto." That ze wer privie to it, Lord *Lyndſay*, I know nocht: And gif ze will ſay that I have ſpeciallie ſpokin of zow, ze lied in your throte; and that I will defend, as of my honour and dewtie becumis me: Bot, *let aucht of the Principallis that is of thame ſubſcryve the like writing ze have ſend to me, and I ſhall point thame furth, and fight with ſum of the tratouris thairin:* For meteſt it is, that tratouris ſould pay for thair awin treſſoun.

Off London *this* xxij. December 1568.

HERYS.

NUMB.

NUMB. CIII.

Lord Herys's *letter to the Erle* Leceſtre, xxij. December, 1568. *Ibid. Pag.* 149.

An original.

PLEIS it zour richt honorabill lordſhip, be adverteiſit, ane ſervant of the Biſhop of *Roſs* has ſhawin me, zour Lordſhip deſyrit me cum to the court thys day; and the occaſioun thairof was, upon ſum inoportune ſuit of the Erle of *Murray*'s.

My Lord,

I am reddy, at the Quenis Majeſtie of this realme's commandement, or upon zour Lordſhip's deſyre, to cum quhair ze will command me, and that with my hartlie gude will. For the Erle of *Murray*, ſwa lang as he miſknawis his dewtie to his native Soverane, I will nether for his inoportunes nor pleſour travell. Bot, for my awin trewth and dewtie, gif it be to anſwer to ſic writingis as firſt I red befoir zour honouris at *Weſtminſter*, the Quenis Majeſtie's Commiſſionaris, and eſter preſentit unto hir Hienes, I advow thame, and, with the grace of Almightie God, ſhall leif na part unprowin, that trewth and honour requiris; quhairof I haif ſent zour Lordſhip heirwith ane copie; as alſwa ane letter I reſſavit this day of the Lord *Lyndſay*, with my anſwer to it. Gif neid ſall require my awin preſence to advow the ſamin, it will pleis zour Lordſhip to adverteis this my ſervand, and I ſall nocht faill to be thair at the hour appointit be zour Lordſhip, gif God ſall ſpair my lyif: To quhais protectioun I hartelie commit zour honorabill Lordſhip.

Off London *the* xxij. *day of* December, 1568, *be your Lordſhip's to command at my power leſullie, with my humbill ſervice,*

HERYS.

NUMB. CIV.

PROJECTS in *Cecil*'s hand, for terrifying the Queen of *Scots* from inſiſting to anſwer and accuſe *Murray*, of which ſome part was ſent to Mr. Vice-Chamberlain (*Knollis*,) xxij. *December*, 1568.

Cott. libr. Cal. C. 1.

What is meeteſt.

FIRST, That the Queen of *Scots* be induced to yield herſelf to remain in the realme, and not depart; and that the eſtate of her ſon and the Regent may remain and continue; and for the more ſurety of her ſon's life, he may be brought into *England*, and kept here under the rule of ſome of *Scotland*.

Secondly, That the Regent alſo may be induced to allow hereof.

Means to do this.

Firſt to have the Queen perſwaded hereunto, either by Sir *Francis Knollis*, or by the Biſhop of *Roſs*.

The reaſons to be uſed are theſe:

Firſt, That if the Queen of *Scotts* will ſtand to her further tryal, and ſhew herſelf miſcontented, the Queen's Majeſty

jeſty cannot but notify to the world her guiltineſs of the murder, and the reſt of the foul crimes, whereof in very truth ſhe can no wiſe diſcharge herſelf, as the matters are to be proved and mantained. And though that the Regent, or any of his company, ſhall be by her charged to be parties to the murder, and to her unlawful marriage, yet that is no diſcharge of her guiltineſs.

Secondly, That her Majeſty did reſolve, and ſo cauſed to be pronounced to the Earl of *Murray*, at the beginning of this conference, that if the Queen of *Scots* ſhould not be found apparently guilty of the murder, ſhe ſhould be reſtorit to her eſtate: But if ſhe ſhould be manifeſtly proved guilty of the murder, her Majeſty would not offend God and her conſcience, to bear with a murderer, ſo far as to reſtore her to her eſtate; nor yet would allow of any other that ſhould aid her thereto, being made participant of the proofs of her guiltineſs; but contrarywiſe ſhe would, in reſpect of the innocent child her ſon, (whoſe life could not be without manifeſt danger, by reſtoring of the mother and her party, the *Hamiltons*, notorious enemies to the child) mantain the ſaid child, and all the favoureris thereof, and likewiſe the ſtate of the realm wherein ſhe found the ſame at her calling the matter in queſtion, as therein the rules of juſtice do warrant her.

Thirdly, Seeing the Queen's Majeſty cannot (without manifeſt offence to her conſcience, which ſhe will prefer before all earthly things) furder her to her former eſtate, the Queen of *Scots* muſt in good wiſdom think, that, conſidering the ſaid Queen hath heretofore manifeſtly, in the ſight of the whole world, a thing alſo now regiſtred in Chronicles, made title to this crown, and hitherto hath never made ſatisfaction for the wrong, nor now cannot, ſhe may not, without great folly, permit the ſaid Queen to be at liberty, to become her enemy, and ſo to ſtirre troubles by her allies abroad, which her Majeſty muſt needs aſſuredly look for at her hands, if ſhe ſhould be put to liberty without ſome good former agreement.

Fourth-

Fourthly, The Queen's Majesty doth certainly perceive in this conference, that all the Queen of *Scots* party, at this time, for the most, are wholly the *Hamiltons*, and all the other party are meerly of the *Lennoxes* and *Stuarts*; by which means her Majesty easily seeth, if the Queen should be restored, and the *Lennoxes* and *Stuarts* oppressed, as otherwise it cannot be, what very shortly will ensue of the crown of *Scotland*, by the *Hamiltons*, and their dependants in blood, as *Huntly* and *Argyle*, and such others are, that neither the Queen herself, nor yet the child, could have long continuance; and beside that, how the *Hamiltons*, to maintain their faction for the crown, and to keep down the other, would knit themselves with *France*, and bring *French* and other strangers into the land; which how unmeet it is for *England* to endure, is easily to be seen.

Fifthly, The said Queen of *Scots* may be induced to allow best of the education of her son in this realme of *England*, considering the desire that she hath always had to have favour shewed to such title as she supposeth to be due to her, and her issue of her body, to the crown of *England*, in case God shall call the Queen's Majesty to his mercy, without having issue of her body: And in this behalf there may be much enlarged to move her, not only to allow hereof, but by all good means to sue for the same.

Finally, It is thought that besides these reasons, to be well used to hir, it is necessary that she may see some outward effects of the Queen's Majesty's proceedings, tending to give faith unto her, that, without her assenting to these purposes above-mentioned, that will follow to her damnage that can neither be liked of her, nor can be revoked, if the same be once put in execution.

These things they are:

First, That she be either speedily removed to *Bolton*, or the intent thereof so uttered to her, that she may look for no other.

Second-

Secondly, That the Erle of *Murray* may have ſome open countenance, as one that hath done his endeavour to produce that which muſt be accepted for truth, untill contrary matter may appear.

Thirdly, That it may be manifeſtly declared to the Queen's Commiſſioners, that her Majeſty muſt allow of the Earl of *Murray* and his requeſt, untill ſhe ſhall hear more from them to diſprove his doings, and will ſurely mantain him hereafter, if matter ſhall not be manifeſted to avoid that which is ſhewed.

For to prove the Queen's Majeſties' detaining of the Queen of Scots *juſt.*

1. She is a lawful priſoner by good treaties *.

2. She may not depart untill ſhe have ſatisfied the wrong that ſhe hath done to the Queen's Majeſty, in open claiming of the crown, and not making juſt recompence.

3. The Queen's Majeſty's ſuperiority over the crown of *Scotland.*

4. The Queen's Majeſty bound in conſcience to anſwer the petitions of her ſubjects, in matters of blood, upon her ſubjects.

Means to be uſed to the Earl of Murray.

1. His own peril upon the child——*****
2. The perils upon the contrary.
3. The alliance with the *French.*
4. The conveyance of the child into *France.*

NUMB.

* Was ever ſuch nonſenſe heard?

NUMB. CV.

From Queen Mary's *Regiſter.* Cott. libr.

At *London*, upon the xxij. day of *December*, 1568.

THE quhilk day the Quenis Majeſtie of *Ingland* ſent to *London* to the ſaidis Commiſſionaris, and deſyrit, that the Biſhop of *Roſs* and Lord *Hereis* ſould ſtay thair journey toward *Bowton*, and return to *Hampton-court* the xxiij. day of the ſaid month, quhair thay ſould underſtand further of her Majeſtie's pleſour; and ſwa thay returnit: And my Lord *Boyd* departit from *London* the ſaid xxij. day, towardis the Quenis Hienes thair Soverane, with the Quenis Majeſtie's anſwer ſoirſaid.

NUMB. CVI.

The Queenes Majeſty of England, *to Mr.* Vice-Chamberlayn, xxij. December, 1568.

From a minute of Secretary *Cecil.*

Right truſty and welbeloved,

WE grete yow well. By our letters ſent yeſterday to yow, we did advertiſe yow of the ſtate of the cauſe of the Queen of *Scotts*; and willed yow to to prove the Queen of *Scotts* meening therupon, if it could be, afore the comming of hir Commiſſionaris. And now we have alſo furder conſidered therupon, and find, that, in concluſion, it is thought, of all uther deviſees, this to be the beſt for us: "That the Quene ther might be induced by ſome "good perſwaſions, for avoyding of the great extremities "wherunto hir cauſe may bryng hir, to yeild ſo, as it might "alſo

"alſo appeare of hir own will, that by way of permiſſion, "that hir ſonne may contynew in the ſtate wherin he is; "and the regyment alſo in the Erle of *Murraye*, as alredy "it is ordred by ther parliament; and hir ſelf to contynew "here in our realme duryng ſuch tyme as we ſhall fynd "convenient; and hir ſonne nevertheleſs, for his ſavety, "to be brought into this our realme, to be preſerved and "educated under the cuſtody of perſons of the byrth of "*Scotland*, for a certen ſpace: And this whole cauſe of hirs, "whereof ſhe hath bene charged, to be committed to per-"petuall ſilence: And the cauſe of this hir yelding and "aſſent to be grounded and notifyed to procede of hir "owne good wil, by reſon of hir weryneſs of governance, "and of deſyre to ſee hir ſonne ſtabliſhed, in ſuch termes, "to ſave hir honor, as is at more length conteaned in the "inſtrument deviſed for the dimiſſion of hir crown, whyleſt "ſhe was in *Lough-levin*." And foraſmuch as this motion can not be well moved to hir, but ether by ſome of hir owne, being only addicted to hir, and whom ſhe ſhall truſt; or by ſome of ours, whom we alſo ſhall truſt; we have thought to attempt the proof herof by both meanes. Firſt, we wold have you, whom we have juſt cauſe to truſt, to attempt hir herein, and yet to do the ſame as of yourſelf, by way of communication and devyſing with hir of hir troubles, and alſo of hir whole cauſe, and of the lyklyhood of ſome end that muſt needs follow. And becauſe yow ſhall perceave what reſons ar by us thought meteſt to be uſed in this matter, and for this purpoſs, yow ſhall herwith receave a memoryall in wryting, conteyning certen apparant reſons to move hir to the ſame, as we our ſelves, with the adviſe of certen of our privie-counſell, have thought meteſt: Which memoryall being well peruſed and conſidered by yow, we wold have yow as ſpeedely as yow maye, begyn to deale with hir therin; allweis ſo preparyng your ſpeche as comyng only of your ſelf, and not by any direction; but rather ſeming that yow wold be glad to deale herin for hir; and, as yow ſhall ſee cauſe, to uſe any other re-

ſons to induce hir to this purpoſs, ſo to doo; and of hir diſpoſition to ſend us anſwer with all the ſpede that yow may. And leſt ſhe may have ſome ſpeche hereof with the Lord *Scroope*, we thynk it good that yow inform hym of the ſame alſo, with great ſecrecy, that he may agree with yow in opinion, if cauſe be gyven hym by hir to talk therof. And this we wold have done before the Biſhop of *Roſs* ſhall come thyther; whom we have cauſed to be ſtayed a day or twoo, upon another pretence; meanyng to cauſe this matter to be ſo indirectly broken with hym, as he ſhall have cauſe to deale with that Quene herin at his coming thyther: And therfor we wold have hir mynd not only underſtand herin before hand by yow, but alſo prepared by this purpoſs; and in any wiſe not to be knowen that you are directed from us in this cauſe.

NUMB. CVII.

Proceedings at Hampton-court, *upon the* xxiiij. *day of* December, 1568.

From Queen *Mary*'s Regiſter, *ubi ſupra.*

THE quhilk day the Biſhop of *Roſs* and Lord *Hereis* came to *Hampton-court*, quhair, in the counſal-chamber thairof, wer appointit be the Quenis Majeſtie to confer with thame, my Lord Dukes's Grace of *Northfolk*, the Marquis of *Northampton*, the Erle of *Leiceſter*, the Lord *Howard* Lord Chamberlayne, and Mr. *Cecil* Secretarie.

And thair the Duke's Grace did declair unto thame, that the Erle of *Murray* had meanit † him to the Quenis Majeſtie and counſall, "That it was cum to his knawledge, that it ſould be "murmurit and bruitit, that he and his cumpanie ſould be "guiltie of the mourthour quhilk thay had laid to the Que-"nis

† *i. e.* bemoaned.

" nis charge; and underſtandis the ſamin to have procedit " fra the Quene of *Scotland*'s Commiſſionaris :" And thairfoir requirit of thame, gif ony of thame twa wald lay ony ſic thing to the charge of the uther partie.

To the quhilk it was anſwerit be the ſaidis twa Commiſſionars, " That thay had ſpecial command ſent to thame " from the Quene thair Maiſtres, to lay the ſaid crime to " thair charge: And, conform thairto, wald publictlie a- " vow the ſamin, and accuſe thame, in preſence of the " Quenis Majeſtie, and hir honourabill counſall; and wald " defend thair Soverane's innocence, and anſwer thair ca- " lumnies allegit, conform to writingis and inſtructiounis " reſſavit this day from hir Majeſtie, daitit at *Bowton* the " xix. day of *December* inſtant." And to that effect deſyrit to have preſence of the Quenis Majeſtie, quhair thay ſould declair the matter at lenth, and ſchaw ſic inſtructiounis as thay had reſſavit thairanent. And ſwa the nixt day, being the xxv. was appointit to thame to cum to the Quenis Majeſtie's preſence, conform to that effect.

NUMB. CVIII.

Proceedings at Hampton-court, *upon the* xxv. *day of* December, 1568.

From Queen *Mary*'s Regiſter, *ubi ſupra.*

THE quhilk day the ſaidis Biſhop of *Roſs* and Lord *Hereis*, and the Abbot of *Kilwyning*, being reſſavit to the preſence of the Quenis Majeſtie, and hir honourabill counſall, declarit, in name of thair Soverane, that thay had reſſavit ſpecial command fra thair Maiſtres, to declair unto the Quenis Majeſtie, " That being advertiſit of the " unnatural and ungrate daling of hir diſobedient ſubjectis " and rebellis, could not ſuffer thair blaſphemous and " ſklanderous accuſatiounis to paſs over with ſilence unan-

" ſwerit; quhan thay thameſelfis quha did accuſe hir, wer " the authoris and inventeris, and, ſum of thame, execu- " touris of the murthour: And thairfoir, principallie for " ſatisfactioun of hir guid fiſter, wald anſwer to thair eik, in " defence of hir awin innocence, and accuſatioun of thame, " as authoris and inventeris thairof: And alſwa wald give " anſwer to thair proteſtatioun in lyke manner, quhilk thay " calumniouſlie and cullouratlie had gevin in with thair ſaid " eik." And the ſaidis Commiſſionaris producit the ſpe- cial writingis and inſtructiounis ſent be thair Maiſtres to thame to that effect.

Quhilk being read befoir hir Majeſtie, and hir counſall, thay maiſt humblie deſyrit the Quenis Majeſtie to cauſe thame have ſic writingis as wer producit aganis thair Mai- ſtres, be thair Maiſtres's adverſaris. And adherand to the proteſtatiounis maid be thame of befoir, and upon the con- ditiounis contenit in thair writingis, thair Maiſtres wald mak anſwer thairto.

Quhilk deſyre hir Majeſtie thocht verie reſſonabill, and declarit hir to be verie glaid that hir guid fiſter wald mak anſwer in that maner for defence of hir honour. And to the effect hir Majeſtie micht be the better advyſit upon thair deſyris, and give anſwer thairto, deſyrit ane extract of the ſaid writing to be gevin to hir Hienes; quhilk the ſaid Commiſſionaris did on the morn deliver.

NUMB.

NUMB. CIX.

The tenour of the writing preſentit, beiring the anſwer to the eik, and the accuſatioun of the Quene of *Scotland*'s rebellis for the murthour.

From Queen *Mary*'s Regiſter, *ubi ſupra.*

TRAIST Couſingis and Counſellouris we greit zou weill. We have ſene the copie quhilk ze have ſent to us of the falſe and unlauchful accuſatioun, preſentit aganis us be ſum of our rebellis, togidder with the declaratiounis and proteſtatiounis maid be zou thairupon, beſoir the Quene of *Ingland* our guid ſiſter's Commiſſionaris; quhairin ze have followit our intentioun and charge quhilk we ſent zou be our former deſpetche. And thairfoir, in cais that the preſence of our guid ſiſter wer refuſit us, we wrote to zou to ſchaw hir, firſt the wrangis done to us, and nixt in publict, afoir the Nobilitie and Ambaſſadouris of uncouth Princes; praying zou thairanent to continew in accompliſhing our intentioun, quhilk ze knaw; and referris to zour wiſdomis and guid judgmentis to amplifie the inſtructiounis quhilkis ze have of us.

Bot to the effect our rebellis may ſé that thay have not cloſit zour mouthis, ze may offer to eik to zour reply, that quhilk the additioun deſervis, maid be the Erle of *Murray* and his complices, to the pretendit excuis and cloak of thair wickit actiounis, falſet and diſloyaltie; provyding that gif it be that the queſtioun cum to the pruiffis, indices, appearances, or ſuſpitiounis, (althoch thair be na competence betwix tratouris and thair natural Princes) the preſence of our guid ſiſter be permittit us to declair the juſtice of our cauſe to hir ſelf,

ſelf, and na uther, (not having conſentit to the aſſemblie and conventioun of Commiſſionaris to uther effect than to inform thame of the veritie) afoir our quhilk guid ſiſter the ſaid rebellis have gottin the credit to cum to accuſe and calumniat us. Mairattour, that thair be ſufficient leiſure gevin to us to anſwer and verifie thair impoſtures and crimes, quhilk we have to lay to thair charge, with reſpectis quhilk ſould be keipt anent ſic ane Quene as we ar: In this mene tyme, that our rebellis be not fortefyit, aſſiſtit, nor favourit aganis us, be ony of our ſaid guid ſiſter's Miniſteris. Quhilkis conditiounis ar askit be us, becauſe we will not that our ſaid guid ſiſter, nor na Prince in the warld, ſall eſteme that we think our reputatioun of ſa littill valour, to put the ſamin in the handis of ony leving creature, ſa far as we may perceave. And albeit that we lippin our perſoun, lyfe, and hazard of our eſtait, to our ſaid guid ſiſter, we wald be laith ſcho ſould think that we reſerve not it that we hald darreſt, quhilk is our honour, and is deliberat to defend the ſamin our ſelf, or at the leiſt aſſiſt zou thairin; not doubting of zour integrities towardis us; and that ze have mater to confound the impudence of our tratouris, als weill in this additioun, as ze did in that quhilk was paſt at *Zork*.

And gif our guid ſiſter grant zou this reſſonabill requeiſt in writ, we think guid, that having cauſit hir Commiſſionaris knaw that ze have underſtuid our intentioun on that quhilk has bene addit be the Erle of *Murray*, and his complices, quhairof ze had na inſtructioun afoir, as of ane thing ſa horribill, that nowther we, nor ze, could have imaginit it could have fallen in the thoughtis of the ſaidis rebellis; and that we wald not the ſamin ſould ceis but anſwer, quhilk ze may dreſs conform to thir poyntis as efter followis:

NUMB.

NUMB. CX. *Ibid.*

ANSWER to the eik that was preſentit be the Erle of *Murray*, and his adherentis.

FOrſamekill as the Erle of *Murray* and his adherentis, our rebellious ſubjectis, have eikit unto thair pretendit excuſis, producit be thame for cullouring of thair horribill crymes and offences committit aganis us, thair ſoverane Ladie and Maiſtres, in ſiclyke wordis, "That as the Erle "of *Bothwell* has bene the principal executor of the mur- "thour committit in the perſoun of umquhile *Hary Stew-* "*art* our husband, ſwa we knew, counſallit, devyſit, per- "ſwadit and commandit the ſaid murthour;" thay have falſelie, traitourouſlie, and meſchantlie lyed; imputing unto us maliciouſlie the cryme quhairof thameſelfis ar authouris, inventeris, doaris, and ſum of thame proper executeris.

And quhair thay alledge, "That we impeſchit and ſtoppit in- "quiſitioun and due puniſhment to be maid on the ſaid mur- "thour;" it is ane uther calumnie, to the quhilk, having ſa ſufficientlie anſwerit be the replie producit at *Zork*, quhairin thay were ſtricken down, as likewayis in that quhilk thay reherſe of our marriage with the Erle of *Bothwell*, thinkis not neceſſarie thairanent to mak thame farther anſwer, bot refer the ſamin, gif thay think guid to conſider that it was anſwerit to thame in baith thir twa poyntis in the ſaid reply.

And as to that quhair thay alledge "That we ſould have "bene the occaſioun to cauſe our ſone follow his father "haiſtelie;" thay cover thameſelfis thairanent with a weit ſack: And that calumnie ſould ſuffice for pruif and inquiſitioun of all the reſt; for the natural love of a mother to-

towardis hir bairn confoundis thame; and the greit thought that we have ever had of our ſaid ſone ſhawis how ſhamefully thay ar bauld to ſet forth, not onlie that in quhilk, conform to the malice and impietie of thair heartis, thay judge utheris be thair awin proper affectioun, bot of that quhairof in thair conſcience thay knaw the contrair; lik̃ as the wordis of *John Maitland* the Priour of *Coldinghame*, quha being in *France*, a littill befoir our impriſouning, buir witneſs in ſindrie thingis, how thay wer deliberat to mak inſurrectioun, and that he had letteris of thair ſuir purpois; eiking thairto, that howbeit thay had no juſt occaſioun to mak the ſamin, at leiſt there was thré apparant pretextis to draw the pepill to thair ſide.

The firſt, be making thame to underſtand it was to deliver us fra amang the handis of the Erle *Bothwell*, quha raviſht us.

The ſecund, to revenge our ſaid husband's deith.

And the thrid, to preſerve and defend our ſone; quhom thay knew we had put ſuirlie in the Erle of *Marr*'s handis.

All the ſaidis thingis thay ſaid wer aganis the Erle of *Bothwell*, and for the weill, reſt and ſuirtie of me and my ſone, as thay maid the commoun pepill believe be thair publict proclamatiounis; bot thair actiounis ſenſyne hes declarit the contrair, and *Johne Maitland* ſpake as weill informit. For to the veritie, this wes bot ſeinzeit and falſe ſemblance that thay did to get the Erle *Bothwell*, for in fact thay deſirit onlie bot to obtene our perſoun, and uſurp our auctoritie, as was ſufficientlie declarit be the ſaid reply.

And albeit thay belief zit to diſſembill the pernitious and cruel will that thay have, als weill towart the bairn as the mother, thair is na man of guid judgement, diſcovering the thingis bypaſt, but he may eaſily perſave thair hypocriſie, how thay wald fortefie thameſelfis in our ſone's name, till that thair tyrannie wer better eſtabliſht, even efter, as thay have ſhawin, ſoon efter our guid bountie and truſt we had in thame; thay wald have ſlane the mother and the bairn baith,

baith, quhen he wes in our wamb, and did him wrang or he wes born. Quhilk act ſchawis manifeſtlie (by * the crymes quhairof thay ar culpabill, baith befoir God and man) that thay ar falſelie ſet aganis our innocence.

Finallie, Quhair thay ſay, "That the eſtaitis of our realme, finding us unworthie to reign, decernit our diſmiſſioun of our crown to our ſone, and eſtabliſhing of the regiment of our realme in the perſoun of the Erle of *Murray*;" It ſall be anſwerit thairto, That the dimiſſioun quhilk thay cauſit us ſubſcryve, was ſubſcryvit perforce, quhairon the ſaid Erle of *Murray* has foundit his regencie, declaris ſufficientlie, thay procedit not thairin be way of parliament, bot be violence, and ſall convict thameſelfis; that be the ſaid reply it was ſchawin thame thair pretendit aſſemblie of eſtaitis was illegittime, aganis the lawis and ſtatutis of the realme, and ancient obſervatioun thairof; to the quhilk the beſt and greiteſt part of the Nobilitie was aganis, and oppoſit the ſamin.

And hereon conclude, as ze did in zour reply, requirand ſupport fra the Quene of *Ingland*, our guid ſiſter, conform to the promiſſis of freindſhip betwix hir and us; proteſting to add to this anſwer as time, place and neid ſall require. And ſwa committis zou to the protectioun of God Almichtie.

Off Bowton *the nyntein day of* December, 1568.

Subſcryvit thus:
Zour gude Maiſtres,
MARIE R.

Indorſate thus:
To our rycht truſtie Couſingis, Counſallouris and Commiſſionaris, the Biſhop of *Roſs*, Lord *Hereis*, and Abbot of *Kilwynning*.

* i. e. beſides.

NUMB. CXI.

The extract of the principal heidis conteynit in the laſt lettre that came fra the Quenis Grace our Maiſtres, direct from Bowton *the* xix. *day of* December, 1568.

From a writing of the Biſhop of *Roſſe*, among *Cecil*'s papers, and in Quene *Marie*'s regiſter; & *Cot. Libr. Cal.* B. 9. fol. 287. & *Mem. Glaſg. tom.* 3. *fol.* 367. *in Colleg. Scot. Pariſ.*

WE haif reſſavit the eik * gevin in be the Erle of *Murray* and his complices. And quhair thay haif ſaid thairintill, or at ony tyme, that we knew, counſallit, devyſit, perſwadit or commandit the murthour of our huſband, thay haif falſlie, tratourouſlie and meſchantlie lyed; imputing unto us malicioufſlie the cryme quhairof thay thameſelfis ar authoris, inventeris, doaris, and ſum of thame proper executouris.

And quhair thay alledge we ſtoppit inquiſitioun, and dew puniſhment to be maid on the ſaid murthour; and ſiclyke of the ſequel of the marriage with the Erle *Bothwell*; it is ſufficientlie anſwerit in the reply gevin in at *Zork* to thais twa poyntis, and divers utheris thair alledgeances, gif thay be weill conſiderit.

And quhair thay charge us with unnatural kyndneſs towart our ſone, alledging we intendit to have cauſit him follow his father haiſtelie; Howbeit the natural luif the mother beiris to hir onlie bairn is ſufficient to confound thame, and miſteris na uther anſwer, zit conſidering thair proceidingis bypaſt, quha did him wrang in our wamb, intending to haif ſlane him and us baith, thair is nane of gude judgement bot thay may eaſilie perſaif thair hypocriſie, how thay wald fortefie

* See it above Numb. lxxv.

ſortefie thameſelfis in our ſone's name till thair tyrannie wer better eſtabliſht.

And to the effect our guid ſiſter may underſtand we are not willing to lat thair falſe inventit allegeances paſs over with ſilence, adhering to zour former proteſtatiounis, ze ſall deſire the inſpectioun and doubillis of all thay haif producit aganis us; and that we may ſé the alledgit principal writingis, gif thay haif ony, producit; and with God's grace we ſall mak ſic anſwer thairto, that our innocence ſall be knawin to our guid ſiſter, and to all utheris Princes: And ſiclyke ſall charge thame as auctouris, inventaris and doaris of the ſaid crime thay wald impute to us, and prove the ſamin ſufficientlie, ſwa that we may have our guid ſiſter's preſence, as our adverſaris has had, and reſſonabill ſpace and tyme to get ſic verificatioun as appertenis thairto. And proteſt that we may add thairto as tyme, place and neid ſall require.

NUMB. CXII.

ANSWER to the proteſtatioun maid be the Erle of *Murray*, and gevin in at the time of the productioun of his eik.

From Queen *Mary*'s Regiſter.

WE the Commiſſionaris for our ſoverane Lady the Quenis Majeſtie of *Scotland*, do lay and propound befoir zour honorabill Lordſhips, and, as effectually as we can do, proteſt, that there aucht na faith nor credit to be gevin to our adverſaries proteſtatioun; for ſa mekill as it is altogidder maiſt notoriouſlie forgit, feinzeit, and voyd of all guid and true matter or ſubſtance, ſaving ſic as be force of truth, unawarris to thame, may ſerve weill towardis ſum

probabill purgatioun of this horribill cryme, that thay maiſt falſſie object aganis hir Hienes, our ſoverane and Maiſtres: For quhat may either mair plainly ſchaw hir innocencie, or thair ungodlie and deteſtabill dealingis, than that thay "quhen preſt † as well be the King of *France*'s Ambaſſa- "dour, as be the Quene's Majeſtie of this realme, to de- "clair the caus of thair outrage aganis our Soverane, wald "not, as themſelves confeſs in thair proteſtatioun, declair "ony ſic haynous matter as thay now pretend?"

It were a ſtrange kind of dealing to caſt ony private man or ſubject in priſoun, and conceill the cauſe of the imprifounment: Quhat ſall it then be thocht of ſubjectis to attempt ſuch matter aganis thair Prince and Soverane, and to eſtrange the cauſe from ſic perſonages? And zit had the cauſe bene ſumquhat mair tolerabill, gif this conceilment had procedit either upon ony publick or private affectioun, as thay maiſt falſſie and feinzeitlie pretend.

And heir were it bot a neidleſs labour to alledge mony probatiounis, (quhairof we have ſtore) for infringing of this the principal point of this thair feinzeit proteſtatioun, ſeing that lang or the ſamin was maid, thay had, be open act and deid, of a falſe colourit and factious parliament, condemnit and depoſit hir Majeſtie, as a notorious knawin murtherer of hir husband: *Quhilk horribill fact zit notwithſtanding was nather then, nor ſince, ever proven, nor ſall at ony tyme heirefter be proven.*

Quhairfoir it is apparent, that all this is but a drift, and cloaked diſſimulatioun, in that thay pretend themſelves to be "ſa loath to publiſh now to ſtrangeris hir Grace's infamie;" quhilk thay have already done maiſt extreamlie. And heir may als weill the rule of the law, *proteſtatio contraria facto non relevat*, that a man ought not to take benefit by a proteſtatioun to the quhilk his deeds are repugnant, as the auld proverb alſo takis place, *Crocodili lachrymæ*, the falſe and traitorous tearis of the hypocritical Crocodile.

Zea this proteſtatioun is altogidder prepoſterous, out of fea-

† See above Numb. lxxiv. page 204. line 26.

ſeaſoun, and mair than ridiculous. For to quhat purpoſe ſerveth this ſolemnlie making cauld proteſtatioun, efter thay had ſa opinlie, and ſa haitlie, not onlie laid this haynous murthour upon hir, maiſt innocent, but alſwa ſic puniſhment as nather be God's nor man's lawis micht be laid, zea gif it wer bot on a private perſoun? Swa theſe men, thair awin conſciences geving to thameſelfis gude teſtimonie, as weill of hir innocencie, as of thair own deteſtabill doingis, durſt not at the beginning be ſo impudent, the matter being ſa incredibill, as to charge hir with it, till ſic tyme as thay, be mair leiſure, contrivit all matteris to thair wickit and ambitious purpoſe, and got to thame ſic a factious private companie to aſſiſt thame, ſwa as thay micht, gif neid wer, with violence, and uſurpit auctoritie, beir down thame that wald miſlike thair doingis, and micht ſeem, to ſuch as deiplie and thorouchlie do not luik into thair doingis, to have ſum guid and probabill matter of thair pretendit accuſatioun; albeit in thair greiteſt ruff, the beſt and greiteſt of the nobility maid proteſtatiounis, that thay wald conſent to nathing that wald be prejudicial to hir Grace's crown, honour, or perſoun.

This is the verie ground of thair monſtrous, unconſtant, variabill and doubill dealing, far fra the devotioun and pietie that thay cullourablie pretend towardis our gracious ſoverane, quhais princely and hitherto unſpottit renown thay have lang ago, befoir all the warld, deflorit, and afterwardis hir gudis and ſubſtance, hir crown and perſoun, as much as in thame lay, thay ſpuilzeit, and in a manner devourit. And zit do theſe depoſeris of thair Quene and ſoverane Princeſs full holielie pretend, that "*Scotland* could not "continue in a kingdom, nor the profeſſioun of true reli-"gioun continue," unleſs thay ſould thus deteſtably purſue thair Prince for quhat thameſelfis maiſt worthilie ſould be puniſht."

Planelie a mervail it wer, that religioun could not be maintenit without ſic foul ſhiftis: And mervail it is alſwa, that theſe men ſould feir the continuance of *Scotland* in a king-

kingdom, having to thair Prince and Quene ſic a nobill Lady, maiſt lieneallie and lauchfullie inheriting the kingdom, (unleſs perchance thay be ſcholaris of that new upſtart ſchole, that ſayis it is unlauchful for a woman to rule the ſcepter) or that we may not have mair caus juſtlie to feir that quhilk thay befoir cauſeleſſie did feir, ſeing that thay quha have na richt to this place, do indeid, under the ſhadow of the innocent child, ſone of thair ſoverane Lady, intrude thameſelfis into all princelie and kinglie auctoritie, and have depoſit, efter thair manner, a nobill Quene, to quhom thay "confeſs thameſelfis maiſt bounden for greit be-"nefits conferrit upon thame*;" and ſa hath done that lieth in thame, to hazard the ſtait and crown of *Scotland*, and the continewance of the ſamin. Men, no doubt, worthie of ſic benefits beſtowit upon thame! And is this the reward that thay reward hir Grace withall? And could thay, efter all theſe hir Grace's greit liberalities upon thame beſtowit, in order to drive from the whole natioun the ſklander upon a few, (as thay ſay) drive it upon na uther bot upon thair Princeſs, and that the leiſt deſerving? And think thay, that thay ſall purchaſe ony greit glory of the warld for thair patience in heiring thameſelfis callit, bot maiſt worthily, traitouris and rebellis? No more ſuirlie than gif thay heird (as anew at lenth do) thameſelfis callit, and withall proven, the murthouraris of thair Soverane's husband alſwa. No, no: Thay ſall win be ſuch heiring bot ſmall commendatioun, but be confeſſing and repenting thair faultis; which God grant thame.

And quhairas thay alledge, "that thay are enforcit be thair "Soverane and us, quhom thay term thair adverſaries, to cum "to hir accuſatioun;" How true this is, we leive it to the diſcretioun and conſcience of zour honouris, quhidder hir Majeſtie, who alwayis behavit hirſelf like a natural loving mother and Princeſs to hir ſubjectis, loath that thair unnatural and monſtrous dealingis ſould be patent to the face of the warld, to thair ſhame, has patientlie ſufferit the ſamin; and

* See page 205.

and we, for our duty towartis God and our Soverane, quha have ſpent our bluid and ſubſtance in defence of hir Hienes's honour and crown, did preſs thairto; or thay thameſelfis, quha have, and do daily, ungratefullie and unnaturallie purſue the ſamin with all rigour, maintening and ſetting it furth with hir awin pois, jewellis and ſubſtance, quhilk unjuſtlie and violentlie thay reft and ſpuilzeit, be thair treſſounabill corruptioun of the keiparis thairof, and alſwa upon the ſpuilzie of many guid ſubjectis?

To conclude thairfoir, maiſt honorabill, it is nather the zeal for the countrie, nor religioun, that hath driven theſe men to theſe extremities, bot thair outragious ambitioun, be miſliking thair private ſtait, to claim to the riches, power and authoritie of thair Princeſs and ſoverane Lady, to excuſe thair foul, hainous, traiterous and tragical doingis; as in the end ſall maiſt planelie fall out, to the knawledge and wonder of the warld, upon thame, maiſt wretched and deteſtabill.

NUMB. CXIII.

Part of a letter from Knollis *to* Cecil, xxxj. December, 1568, *from* Bolton.

From the original. *Cot. Libr. Cal. C.* 1.

**** *BOrthwick* came hither yeſternicht with letteris from the Biſhop of *Roſs*; whereupon I ſtay'd writing, to hearken what this Queen would ſay, upon the receipt of theſe letters.

And after ſhe had ſpent long time in reading and peruſing of them, ſhe began to declare, among uther things, that the Queen's Majeſtie herſelf had ſpoken with the Biſhop of *Roſs*, wiſhing ſome good appointment and end to be made for this Queen; her Majeſtie ſaying, "That ſhe "would have her to be a Queen ſtill; but becauſe of the "dif-

" difficulty of the caſe, and for that her Majeſtie's word " was paſt her to the Erle of *Murray*, therefore ſhe wiſhed " this Queen to reſign the government to her ſon." But ſaith ſhe, " Shall I reſign for theſe rebellis that have ſo " ſhameſullie belied me ?" No, ſaid my Lord *Scroop*, your Grace may do it, in reſpect of her Majeſtie's advice and good-will towards you. And when we had ſhewed her divers reaſons to induce her, " Well, ſaith ſhe, I will make " no anſwer hereof theſe two days." And ſo ſhe went to Bed.

And now, although for her reputation's ſake ſhe will not ſuddenlie anſwer herein to her Majeſtie's ſatisfaction, yet ſhe ſeems to us that ſhe will come to it, after that, by ſome ceremonious order, ſhe hath ſought to make her beſt advantage of the manner and condition of her yielding *. But becauſe it will be two days hence before ſhe open her mind unto us, by her own ſaying, therefore I thought good to ſend away this bearer preſently.

NUMB.

* But theſe men were far miſtaken, as will be ſeen Numb. cxviii.

NUMB. CXIV.

A paper by which it appears that the Queen of *England* meant to deal no further in the Affairs of the Queen of *Scots*, but, upon the ſuſpence, to take advantage to keep her in priſon †. 7th *January*, 1568. *Cot. Libr. Cal. C.* 1.

The beſt ways are theſe:

THAT generally, whatſoever ſhall be determined, that the ſame may be obtained to proceed of the Queen of *Scots*, as of herſelf, without any open note of compulſion.

The ends:

1. That ſhe may require licence to remain in this realm, free from the troubles of government of her realm; and that her ſon may remain King, and be brought up in this realm, in ſurety, from damage of the civil troubles in *Scotland*; and the government to be in the Earl of *Murray*.

2. That ſhe may remain in name and title Queen, and live in *England*; and her ſon remain King, and the government to be in his name as it is; with proviſion that if the young King ſhall die before he come to a certain age, without iſſue, that then the government ſhall be in the Queen's name, or, if ſhe ſhould die before her ſon, in the name

† This title is only a remark on the margin by Sir *Robert Cotton*. The deſign ſeems to be, that Queen *Mary* ſhould be threatened into ſome agreement that would neither diſgrace *Murray*, nor turn him quite out of power.

and real poſſeſſion of her iſſue, and in the mean time the government as it is.

3. That if the Queen will remain Queen, both in name and poſſeſſion, that yet, for avoiding of her own troubles, and the common troubles of the realm, ſhe may have her ſon alſo remain King, and be joined with her in all reſpects; and that the government may remain, untill the King ſhall come to xviij. years, in the Earl of *Murray*.

That although theſe things may ſeem hard to be eſtabliſhed, yet upon good conſultation the difficulties may be holpen by ordinances of a parliament in *Scotland*, with penalties to the Queen of *Scots*, if ſhe break any of them, to loſe all her right to be Queen, either in poſſeſſion or in name; and all other ſubjects that ſhall break the ſame, for to be adjudged traytors: So by juſtice the Queen of *England* may be allowed to be the defender of the ſaid ordinances, and to have power to cauſe execution to be made againſt the diſturbers of the peace of that land. There may be alſo hoſtages given on the part of ſuch of the Nobility of *Scotland* as ſhall be thought moſt prone to violate the ſaid ordinances.

The means to obtain ſome of theſe ends:

The Queen of *Scots* muſt not in any ſort underſtand, that the Queen's Majeſty meaneth to deal any further in this matter, conſidering ſhe doth not anſwer to the crime of murdering her husband, but that the Earl of *Murray* ſhall return to his government, and ſhall be by her Majeſty placed in no worſe ſtate than ſhe found him at his calling from thence.

The Queen of *Scots* would alſo be removed to *Tutbury*, and no ſuch free acceſs of perſons allowed to her as hath been.

There would be a general reſtraint, that none ſhould come or ſend to her but by the Queen's Majeſtie's knowledge.

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Nevertheleſs if the Biſhop of *Roſs* were privately and ſecretly informed of ſome of the fore-mentioned ends, ſo as he might counſel the Queen of *Scots* to the ſame, it ſhould profit the purpoſe; and yet, openly, by no anſwer to receive no other comfort, but that the Queen's Majeſty would maintain ——

Likewiſe the Earl of *Murray* would be very ſecretly informed of the ſame, and yet openly anſwered with comfort, to continue the ſtate wherein he is.

For certainly no good end will be offered from the Queen of *Scots*, without ſhe ſhall be aſſuredly brought in doubt that no appointment ſhall be made in her favour.

NUMB. CXV.

Proceedings at Hampton-court *upon the* vij. *day of* January, 1568.

From Queen Marie's Regiſter.

THE quhilk day the ſaid Biſhop of *Roſs*, Lord *Hereis*, and Abbot of *Kilwynning*, paſt to the preſence of the Quene's Majeſtie of *Ingland*, hir Hienes's counſall being alſwa preſent, and declarit, That thay had preſentlie reſſavit Writingis fra the Quene's Majeſtie of *Scotland*, their Soverane, be the quhilkis they were of new commandit to ſignifie unto hir Majeſtie, that ſcho would anſwer to the calumnious accuſatioun of hir ſubjectis, and alſwa wald accuſe thame as principal authouris, inventaris and executouris of that deid for the quhilk ſcho was falſlie accuſit be thame, conform to the writingis preſentit of befoir in hir name; and thairfoir deſirit the writingis producit be hir inobedient ſubjectis, or, at the leiſt, the copies thairof, to be deliverit unto thame, that thair Maiſtres might fullie anſwer thairto as was deſyrit.

And the Quene's Majeſtie of *Ingland* tuik to be advyſit

thairwith, and promiſit to gif anſwer within two or thré dayis. In the mean tyme, that hir Majeſtie might be the better informit of thair Maiſtres's mind, they producit ane writing laitlie ſent from thair Soverane to that effect, and cauſit read the ſamin opinlie, in preſence of the Quene's Majeſtie of *Ingland*, and hir counſall foirſaid.

NUMB. CXVI. *Ibid.*

The writing preſentit be the Commiſſionaris for the Quenis Majeſtie of Scotland, *ſent be hir Grace unto thame.*

RIGHT traiſt couſingis and counſallouris, we greit zou well: We underſtand the brayadis that the Erle of *Murray*, and his complices have maid, feeling thame elfis ſimplie tuitchit be ſum of zou, to have been culpabill of that quhilk falſelie thay pretendit to impute unto us; and alſwa the anſwer quhilk ze have maid to our guid ſiſter the Quene, conform to our lettres; of the quhilk thay have pleinzeit *.

Quhairin not onlie we appreive zour proceidingis, bot alſwa prayis zou to continew in our name. For ſithens it hath pleiſit God to deliver us from thair powar and cruel handis, we have bene informit, and underſtandis anouch daylie, be letteris and reportis, to mak our guid ſiſter knaw, "That thay are tratouris, firſt inventaris, conſpiratouris, "and ſum of thame executouris of the murthour of the "King, our husband; with uther crimes little leſs horri-"bill and execrabill than the ſaid murthour;" quhairof I am deliberat to gif zou ſic inſtructiounis ſchortlie that may mak the ſamin mair manifeſt, as occaſioun ſervis.

And ſeing thay have ſet forwart the raige of thair accuſatiounis aganis us, and the ſamin producit, red and publiſht befoir hir and the nobilitie of hir realme, ze ſall require our ſaid guid ſiſter that copies be gevin zou thairof, to the effect

* *i. e.* made complaint.

effect that thay may be anſwerit particularlie; that ſcho and all the warld may knaw thay ar na leſs unſhamefaſt, and falſe liaris, and that be thair ſa manifeſt unlauchful actiounis, ſcho and all uther Chriſtian Princes may eſteme thame tratouris.

Als we underſtand that *William Douglas* was tint, incontinent efter he had gottin his paſſport of the Quene our guid ſiſter, quhilk could not have bene bot be the moyane of theſe rebellis, quha beiris deidlie haitrent to all theſe that has done and dois thair dewtie towardis us; quhilk we pray zou ſchaw to the Quene, our guid ſiſter, beſeikand hir, in our name, that ſcho ſuffer him not to be treatit in that manner in hir realme, ſo neir hir court, being under hir protectioun, quha ſet us to libertie, and ſaiffit our lyfe, doing the act of ane venterous and faithful ſubject to his Soverane and natural Princes, and thairfoir is tane away be thame, quha, as it will be ſpoken, ar mair favourit than juſtice requiris.

James Dryiſdaill, ane of the Laird of *Lochlevin*'s ſervandis, being evill content of the guid ſervice quhilk the ſaid *William* did unto us, ſaid, in preſence of ſum of our ſervandis, that gif ever he met with him, he ſould put his handis in his hart-bluid, quhatever might follow thairupon, and as to us, he ſould give us to the hart with ane quhinger: Quhairfoir ze ſall ſoliſt our guid ſiſter, that the ſaid *Dryiſdaill* be maid faſt, in conſideratioun of the premiſſes. He knawis what is becum of the ſaid *William*. Swa committis zou to the protectioun of Almychtie God.

Off Bowton, *the ſecund day of* Januar, 1568.

Zour guid Maiſtres,

MARIE R.

Indorſate thus:

To our richt traiſt Couſingis, Counſallouris and Commiſſionaris, the Biſhop of *Roſs*, Lord *Herys*, and Abbot of *Kilwynning*.

NUMB. CXVII. *Ibid.*

The Engliſh *Queen's propoſals for a compromiſe.*

AND eftir the ſaid writting was read, and anſwer gevin, as ſaid is, the Quene's Hienes proponit to the ſaid Biſhop of *Roſs*, "That it was beſt that ſum appoyntment "ſould be maid betwix the Quene of *Scotland*, hir guid ſiſter, and hir ſubjectis: And to the effect the ſaid Quene "may live in ſuretie in tyme cuming, and becauſe it hes "bein thought that ſcho miſlykit hir ſubjectis, throw thair "evill behaviour toward hir, and thay miſlyke alſo hir government; it ſemit thairfoir maiſt meit and convenient, "that ſcho, as being wearie of that realme, and government thairof, ſould zeild up the crown, and government "thairof, and demit the ſamin in favouris of hir ſone the "Prince, but prejudice to return to hir agane, in cais of "the deith of him, as God forbid; and ſcho in the mean "tyme to remain in this realme of *Ingland* privatlie, and "ſo the country ſould be at ane quyetneſs.

And the Biſhop of *Roſs* anſwerit, "That albeit for hir "Majeſtie's pleaſour, the Quene his Maiſtres wald hear of "appoyntment, notwithſtanding the greit offenſis commitit aganis hir be hir ſubjectis; zit neverthelefs ſcho wald "never condiſcend to dimit hir crown; and had gevin "him ſpecial command to declair the ſamin, in cais it wer "proponit to him in appoyntment."

Thairefter hir Majeſty did earneſtly preſs him, that he, and the uther twa being with him in commiſſioun, ſould write to the Quene thair Maiſtres to get hir reſolute anſwer thairupon; quhilk thay all whollie and abſolutelie refuſit. Alwayis hir Majeſtie deſirit thame to reſſoun and confer with ſum Nobilmen of hir Hienes's counſal, quhom hir Majeſtie wald appoint, upon that and uther thingis quhilk

ſould

ſould be proponit, and to give thame thair determinat anſwer thairto.

NUMB. CXVIII.

Reſolution de Marie Royne d'Ecoſſe, pour reſponſe à ſes Commiſſionaires.

From the *Paper-Office, London.*

QUANT à la demiſſion de ma couronne, comm' avez eſcript, je vous prie de ne me plus empeſcher ; car je ſuis reſolve et deliberée pluſtoſt mourir, que de faire : et le derniere parole que je ferons en ma vie, ſera d' une Royne d'Eſcoſſe, pour les raiſons que s' enſuit, et aultres choſes plus grandes me mouvans :

En premier lieu : Eſtant les Commiſſionairs, d' une part et d' aultre, aſſemblez en ce pais, ſur les differences d' entre moy et aucuns de mes ſubjects, chaſcun tient l' oeil à ceſte heure ouvert ſur l' iſſu de ceſte convention, pour en faire jugement, ſelon icelle, ou du droit, ou du tort, des parties. Et s' il advient que, apres eſtre venue en ce royaume, demander ſecours, et avoir faict plainct d' eſtre injuſtement expulsüe de mon royaume, je vienne ceder a mes adverſaires tout ce qu'ils me ſcauroyent demander, que dira la commune, ſi non que jay eſté mon juge, et que moy meſme me ſuis condamnée ? de quoy s' enſuivera, que tous les bruits, que l' en a fait courir de moy, ſeront tenus pour veritables et certains, et que je ſeray en horreur, ſpecialment aux peuples de toute ceſte iſle.

Et combien qu'il ſera remonſtré à nobleſſe, qu'elle aſſiſt d'aucuns de mes ſubjects, plus qu'ilz ne ſont de moy, j'ay volu faire telle demiſſion en faveur de mon filz, qui n'eſt en age de pouvoir gouverner, tant s'en fault que cela leur fût penſez, que je ſuis innocente de ce que m'eſt impoſé, qu'ilz l'interpreteront tout ou contraire, et diront, qui c'eſt par craint

craint d'eſtre accuſée publiquement ; et que, me ſentant coulpable, et avoir mauvaiſe cauſe, j'ayme mieux payer que playder, et que ce moyen je ſuffre condemnation.

Item, Si je m'eſtoy deſmiſe, et que à la perſuaſion de mes adverſaires, ou autrement, la Royne d'Angleterre vouluſt me ſoubſmeſtre à quelques loyx, ou juriſdiction de tel juge que bon luy ſembleroit, elle avoit couleur de le faire, d'autant que je ne ſeray plus que perſonne privée ; et par ainſi ſeroy de moy meſme jectée en un grand et emynent peril, pour en cuider eviter ung moindre d'avantage, s'il advenoit, que Dieu ne veulle, que durant mon ſejour en ce royaume la Royne d'Angleterre, ma bonne ſeur, veniſt a deceder ſans enfans, qui contendroient à ceſte couronne, pourroyent avoir moyen, du peu de reſpect qui me ſeroit porté, ſe ſaiſer de ma perſonne, et, ſoubs le pretexte ſubſdict, executer ce, que, peult eſtre, ma dicte bonne ſeur ne vouldroit avoir penſée.

Item, S'il advenoit, que mon filz veniſt à mourir devant que d'eſtre en age pour governer et avoir ſucceſſion, ma couronne tomberât en une aultre main, et ne fauldroit que moy, ny autre venant de moy, s'attendiſt y r'entrer. Et oultre ce, que je me trouveroy ainſi miſerablement deſtituée, je ſeroy en perpetuel crainćte de ma vie, car celluy qui ſe ſeroit eſtably, ne ceſſeroit jamais qu'il ne ſe fuſt aſſeure par ma mort, et qu'il n'en euſt faict autant de ceux, qui, apres moy, il ſenteroit y avoir plus de droict que luy, eſtant advenu tant de choſes ſemblables, que les exemples ne ſervent d'argumens ſuffiſans pour n'en attendre pas, moins par le moyen de telle demiſſion, je perdroy tout ſupport et faveurs, dedans et dehors, car je ne fay doubte que l'ancienne alliance de France ne ſe confirmaſt avec celluy qui regneroit, et moy eſtant perſonne privée : et peult eſtre ſoubs la puiſſance de ceux que l'on ne vouldroit aiſement courrouſſer, il y auroit danger, que je receuſſe de l'outrage beaucoup, devant que l'on feiſt ſemblant de ſe reſmoyoir. Et quant à mes ſubjects, qui me portent affection, voyans que je les auroy abandonnez, ilz trouveroient refuge

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ailleurs, et ne fauldroit jamais, que je penſaſſe le regaigner; ſi on allegue qu'il y a de leur intereſt particulier, je le veux bien; et d'autant plus, je ſuis aſſeurée qu'ilz ne ſe ſeparreront poynct d'avec moy, ſi je laiſſe quelque autre les prendre; j'entend leur donnera ſupport: Et me fault attendre qu'il y euſt en mon royaume tranquilité ainſi deux factions, qui paraventure y ſeroyent nourryes par aucuns de ce pays, pour quelques particuliers de ſiengs; et combien que les choſes ſe feiſſent d'une part et d'autre, au nom de mon filz, ſi eſt ce que ce ſeroit toujours à contrairs fins, et quil n'auroit jamais l'entiere obeiſſance, de quoy s'enſuyveroit la dimiſſion eſt, peult eſtre, l'entiere ruiyne de mon royaume.

Ces perils ſont evidens, par quoy je ſuis deliberée, que je ne precipite legierement ce que Dieu m'a donné, et que je me reſolve de mourir Royne, que femme privée.

NUMB. CXIX.

Proceedings at Hampton-court, *upon* Sonday *the* ix. *day of* Januar, 1568.

From Queen *Mary*'s Regiſter, *ubi ſupra.*

THE quhilk day the ſaidis Lordis Commiſſionaris, the Biſhop of *Roſs*, Lord *Herreis*, and Abbot of *Kilwynning*, came, at the Quene's Majeſtie's of *Ingland*'s command, to the counſal-chamber at *Hampton-court*; quhair my Lordis Duke of *Northfolk*, Erle of *Arundaill*, Erle of *Pembroke*, Erle of *Leceſter*, and Sir *William Cecil* principal Secretarie, wer in privie manner convenit. And thay thair declarit unto thame, that thay had advyſitlie conſiderit the form of appointment proponit be the Quene's Majeſtie, be the quhilk hir Hienes thocht guid, "That the Queen of *Scotland*, "thair Maiſtres, ſould dimit hir crown, *&c.*" Eftir ſum particular reſſouning with the Duke's Grace and Erlis ſen

the ſamin was proponit, thay had conſiderit the writtingis, inſtructiounis and articlis, quhilkis the Quene's Majeſtie, thair Maiſtres, had divers times ſent unto thame, and in ſpecial concerning that dimiſſioun, in cais the ſamin wer proponit; and thairfoir, being fully reſolvit thairwith, gaif determinat anſwer, "That the Quene, thair Maiſtres, "wald never conſent to dimit hir crown in ony way, nor "upon ony conditiounis quhilk wer or could be proponit, "bot was determinat to bruik the ſamin during hir lyftyme, "for divers and mony greit inconvenientis that micht fol-"low thairupon, in cais ſcho wald condeſcend thairto."

And as to ony appoyntment to be maid betwix hir and hir inobedient ſubjectis, albeit that thay haif uſit thameſelfis ungratelie toward hir Hienes, as is manifeſtlie knawin, quhairthrow thay merit na appointment, bot all rigour at hir handis, zit, for pleaſour and favour of the Quene's Majeſtie, hir guid ſiſter, "ſcho will uſe hir counſall in ex-"tending hir clemencie towardis thame, in ſic reſſounabill "wayis as may ſtand with hir honour; the commoun weill "of hir countrey, and guid ſubjectis thairof, being re-"gardit." And the ſaidis Lordis, for hir part, offerit thameſelfis reddie to commoun, treat, or confer thairupon, declaring thame to have ſufficient commiſſioun thairto, as alſo upon ſic thingis as pleaſith the Quene's Majeſtie of *Ingland*, or hir counſal, to propone to thame, for the weill of baith the realmis of *Ingland* and *Scotland*, or ony uther particularities betwix thair Majeſties ſelfis, or ony uther thing quhatſumever, concerning the glorie of God, peace, amitie, freindſhip, and mutual liggis betwix thame, thair realmis, countreyis, dominiounis and ſubjectis thairof.

Efter the ſaid declaratioun in manner foirſaid reherſit, the Duke of *Northfolk*, and utheris his colleguis, anſwerit, that thay wald declair unto the Quene's Majeſtie thair Soverane ſuch ſpeeches as thay had heard be the Quene's Majeſtie's Commiſſionaris of *Scotland* foirſaidis, and thairefter adver-tiſe thame of hir Hienes's pleaſure thairanent.

NUMB.

NUMB. CXX. *Ibid.*

At Hampton-court, *upon* Monunday *the* x. *day of* Januar, 1568.

THE quhilk day the ſaid Erle of *Murray*, and his complices, came before the Quene's Majeſtie's counſal of *Ingland*, quhair Sir *William Cecil* Secretarie, at the Quene's Majeſtie's command, and hir Hienes's counſal, gaif thame ſic anſwer in effect as followis:

The form of the anſwer gevin to the Erle of *Murray*, and his complices.

Quhairas the Erle of *Murray*, and his adherentis, cum in this realme, at the deſire of the Quene's Majeſtie of *Ingland*, to anſwer to ſic thingis as the Quene thair Soverane objectit aganis thame, and thair alledgeances; for ſa much as thair has bene nathing deducit aganis thame, as zit, that may impair thair honour, or alledgeances; and, on the uther part, thair had bene nathing ſufficientlie producit nor ſchawin be thame aganis the Quene thair Soverane, quhairby the Quene of *Ingland* ſould conceave or tak ony evil opinioun of the Quene hir guid ſiſter, for ony thing zit ſene: And thair being alledgit be the Erle of *Murray*, the unquyet ſtait and diſordour of the realme of *Scotland*, now in his abſence, hir Majeſtie thinketh meit not to reſtrain any farder the ſaid Erle and his adherentis libertie, bot ſuffer him and thame, at thair pleſour, to depart, relinquiſhing thame in the ſamin eſtait in the quhilk thay wer of befoir the cuming within this realme, till ſcho heir farder of the Quene of *Scotland*'s anſwer to ſic things as hes bene alledgit aganis hir.

NUMB. CXXI.

Letter from the Earl of Murray *to the Laird of* Craigmillar, *giving a falſe account of the preceeding anſwer.*

An original, among *Craigmillar*'s papers.

AFTER our maiſt hertlie commendatiounis. Becauſe we traiſt, God-willing, ſa ſhortlie to viſit zow, we will not now mak lang lettre, bot in thir few lynis lat zow underſtand of the gude helth of us all, praiſit be God. Ziſternycht we had the Quenis Majeſtie's anſwer be the coupſal, allowing our doingis, with promiſe to mantene the King's auctoritie and our regiment. This day we tak leif, and haſtis us hame, how ſone we may gudelie. In *France* materis ar in guid cais. And thus, baith in reſpect of the beraris ſufficiencoy, and our awin deliberatioun to be ſone at hame, we ceaſe for the preſent, committing zow in the protectioun of Almichtie God. *At* Kingſtoun *the* xi. *of* Januar, 1568.

Zour richt aſſurit freynd,

JAMES *Regent.*

Depeſchit the xiij. *day.*

For that zé wrait for, ze ſall be ſatisfyit in it at our meitting.

NUMB. CXXII.

From Queen *Mary*'s Regiſter.

Upon Tuyſday *the elevint day of* Januar, 1568, *at* Hampton-court, *in the Counſal-chamber, in preſence of the Quene's Majeſtie's counſal of* Ingland, viz. *the Duke's Grace of* Northfolk, *the Marquis of* Northampton, *the Erle of* Pembroke, *the Erle of* Darbye, *the Erle of* Bedford, *the Erle of* Leceſter, *the Lord Chalmerlane, Sir* William Cecil *Knicht principal Secretar, and Sir* Walter Myldmay *Knicht, at thrie afternone.*

THE quhilk day, in preſence of the Counſallouris abone written, and at thair deſyre, compeirit the ſaid Biſhop of *Roſs*, the Lord *Herys*, and Abbot of *Kilwynning*, on the ane part; and *James* Erle of *Murray*, *James* Erle of *Mortoun*, *Adame* Biſhop of *Orknay*, the zoung Abbot of *Dumfermling*, *William Maitland* of *Ledingtoun* zoungar, Mr. *James Makgill* of *Rankeillor-nether*, *William Douglas* of *Lochlevin*, Mr. *Henrie Balnaves* of *Halhill*, and Mr. *George Buquhannan*, on the other part, face to face, being altogether preſent:

Quhair Sir *William Cecil* Secretar, in name of the Quene's Majeſtie of *Ingland*'s counſal foirſaid, declarit, "That the ſaidis Erle of *Murray*, *Mortoun*, and thair adherentis, wer licencit be the Quene's Majeſtie to depart into *Scotland*. And becauſe it was bruitit and ſklaunderit that thay wer participant of the murthour of *Henrie Stewart* the Quene of *Scotland*'s husband, and that the ſaid Erle of *Murray* deſirit to be confrontit with the ſaidis Biſhop, Lord *Herys*, and Abbot of *Kilwynning*, to knaw quhether thay wald accuſe thame, or not, for the ſaid cryme, in the Quene thair Maiſtres's name, or in thair awin names."

And thairfoir thay being demandit be the ſaid Secretar, gif thay wald accuſe the ſaid Erle of *Murray*, or ony of his cumpanie, thairof? Thay, and everie ane of thame thré,

thré, anſwerit, "That thay had reſſavit ſpecial command of the Quene's Majeſtie, thair Maiſtres, be hir letteris under hir ſignet and hand-writ, at ſeveral tymes; quhilkis letteris thay had ſchawin to the Quene's Majeſtie of *Ingland*, and hir counſal; of the quhilkis thay had alſwa gevin in the extract and copie to the Quene's Majeſtie, the xxiiij. day of *December* laſt; be the quhilk thay wer expreſlie commandit be the Quene thair Maiſtres, to accuſe the ſaid Erle of *Murray*, and utheris his adherentis, to be principal authouris, inventaris, doaris, and ſum of thame proper exequutouris of the foirſaid murthour. Conform to the quhilk letteris thay had alreadie publictlie gevin in thair accuſatioun in write to the Quene's Majeſtie, and hir Hienes's counſal, and offerit thame conſtantlie to abide thairat in thair Maiſtres's name; and had offerit alſwa to defend hir innocencie, and to anſwer to all the calumnies alledgit or producit aganis hir, ſwa being that ſcho micht have the copies of the pretendit writtingis gevin in, publictlie or privatlie, aganis the Quene thair Maiſtres; quhilkis thay have diverſe tymes requirit of the Quene's Majeſtie and hir counſal, ſuppois thay have not as zit obtenit the ſamin: And how ſone that thay reſſavit the copies thairof, ſcho wald anſwer thairto, in defence of hir innocencie, and alſwa particularlie nominat and accuſe ſuch perſounis being preſent of thair cumpanie as wer guiltie of that murthour; and wald verifie and pruif the ſamin ſufficientlie.

And thay being alſwa requirit, Gif thay, or ony of thame, as of thameſelfis, wald accuſe the ſaid Erle in ſpecial, or ony of his adherentis, or thought thame guiltie thairof? To the quhilk thay thré anſwerit, "That thay tuik God to witneſs, that nane of thame thré did ever knaw ony thing of the conſpiracie of that murthour, or was in counſal or foirknawledge thairof, nather quha wer devyſaris, inventaris, or executouris of the ſamin, quhill it was publictlie revelit lang thairefter be ſum of the executouris quha ſufferit deid thairfoir." And alſwa declarit, "Thay wer at all times als willing as ony uther ſubjectis of the realme of *Scotland*, to have

have concurrit to the punishment thairof. And albeit sensyne sum informatioun was cum to thair earis, of thame quha wer participant of the devyse and executioun of the samin, zit thay came not here present to declair thair thought and meaning, quhidder the Erle of *Murray* and his company wer clene or guiltie thairof; for thay did presentlie accuse in the Quene's Majestie thair Maistres's name. But quhensoever the Quene's Majestie thair Maistres did nominat and accuse thame in particular, then thay wald utter thair meaning and knawledge thairof, and discharge thair dewty and consciences thairintill; bot presentlie wald nather acquite nor condemn thame, farther nor the Quene thair Maistres for the present had commandit thame to do."

And the Erle of *Murray* and his adherentis denyit that thay wer culpabill thairof, and said thay wald pass to *Bowton* to the Quene's awin presence, to se gif scho wald accuse thame, quhilk thay beleifit scho wald not do."

To the quhilk it was answerit be the uther thré, "That scho declarit hir mind thairintill be hir awin writingis, under hir subscriptioun and signet, quhilk wer producit befoir the Quene's Majestie and hir counsal, and swa thay misterit not to travel to hir presence to that effect; for thay wer readie to abyde thairat at hir command.

NUMB. CXXIII. *Ibid.*

At Hampton-court, *upon the twelft day of* Januarij, 1568.

THE quhilk day the Erle of *Murray*, and all his adherentis, came to the presence of the Quene's Majestie of *Ingland*, and gat licence to depart into *Scotland*.

NUMB. CXXIV. *Ibid.*

At Hampton-court, *upon the thretteenth day of* Januarij, 1568.

THE quhilk day the faidis Biſhop of *Roſs*, Lord *Herys*, and Abbot of *Kilwynning*, being deſyrit to cum beſoir the Quene's Majeſtie of *Ingland*, and hir counſal being preſent in the Counſal-chamber, that is to ſay, the Duke's Grace of *Northfolk*, the Erle of *Pembroke*, the Erle of *Bedford*, the Erle of *Leceſter*, Sir *William Cecil*, and Sir *Walter Mildmay*, Knichtis; the ſaid Sir *William Cecil* declarit unto thame, that the Quene's Majeſtie had gevin command to the counſal to give thame anſwer of the deſyre preſentit be thame to the Quene's Majeſtie, to have the copies of the writtingis producit aganis the Quene thair Maiſtres: And thairfoir he, in the Quene's Majeſtie and in hir counſal's name, gaif this anſwer in effect as followeth:

" Foraſmuchas, at the command of the Quene of *Scotland*, zour Maiſtres, and be hir ſpecial writtingis directit unto zow for that effect, ze have deſyrit of the Quene's Majeſtie to have the copies of all articlis, preſumptiounis, with the principal writtingis producit be the Erle of *Murray* and his adherentis, aganis zour Maiſtres, befoir my Lordis Commiſſionaris for the Quene's Majeſtie of *Ingland*, my Maiſtres, to the effect the ſamin might be ſent to the Quene zour Soverane to mak anſwer thairto, as the extract of zour writing gevin in dois proport;" the Quene's Majeſtie has gevin my Lordis of hir Hienes's counſal commandment to give anſwer thairto, and declair, " That ſcho will not refuis unto the Quene, hir guid ſiſter, to give the dowbillis of all that was producit; bot that hir Hienes may be certifyit of hir mind befoir the ſamin be deliverit, thocht guid to ſignifie and declair unto zou, in hir name, that ſcho will have a ſpecial writing ſent be the Quene of *Scottis*, hir

guid

guid ſiſter, ſignet with hir awin hand, promiſing that ſcho will anſwer to the ſamin writingis and thingis laid to hir charge, but ony exceptioun. And in cais it ſall fall out, that ſcho ſall ſufficientlie defend hir innocencie, as hir Majeſtie maiſt earneſtlie wiſhes, then hir Hienes will favour, ſupport and ayd hir accordinglie, as the ſamin requiris, and as becumis ane Prince to do to another. And in cais ſcho clere not hir innocencie in that behalf, (as God forbid ſwa ſould fall out) then zour Maiſtres ſould luik for na farder ſupport nor ayd at hir Majeſtie's handis. And efter the reſſait of hir writing of the ſaid tenour, ſcho ſall have the doubillis of all the writingis, to mak anſwer as ſcho ſall think guid. The Quene's Majeſtie deſyris to have ſic a writing of the Quene's Majeſtie zour Maiſtres, becauſe ſcho underſtandis that zour commiſſioun quhilk ze had is expyrit, ſen ze did diſcharge the conference at *Weſtminſter*, and be zour laſt writingis ze reſſavit, have powar to require the copies of the writingis, bot not to mak anſwer. And deſyrit thame to certifie the Quene thair Maiſtres thairof." The quhilk anſwer being declarit be the ſaid Mr. Secretary, and afterward be the remanent of the counſal preſent, in the Quene's Majeſtie's name thair Soverane, the ſaid Biſhop of *Roſs*, Lord *Herys*, and Abbot of *Kilwynning* maid anſwer, "That albeit the Quene's Majeſtie deſired ſic ane writing to be ſent be the Quene's Hienes of *Scotland*, thair Soverane, befoir the deliverie of the ſaid writingis unto thame, zit the ſamin appears not to be neceſſarie, in reſpect of twa ſeveral writingis ſchawin and read in preſence of hir Majeſtie and hir counſal, ſubſcrivit with hir awin hand, and under hir ſignet, quhairof the extract was deliverit to the Quene's Majeſtie of *Ingland*, in the quhilk ſcho offerit to mak anſwer upon certane conditiounis thairin expremit, ſwa being ſcho may have the writingis, or at leiſt the copies of thame, gif ony was publicklie or privatlie preſentit againis hir Hienes be hir inobedient ſubjectis: Quhilk anſwer ſcho wald onlie mak for ſatisfying the Quene's Majeſtie, hir guid ſiſter, albeit that quhatſumever thing was produceit be hir rebellis

ſen the diſcharging of the conference at *Weſtminſter* the vj. day of *December* laſt paſt, was bot inventit ſclanderis, and private writingis, quhilkis could not prejudge hir in ony wiſe.

And furder thay declarit, "That ſéing the Erle of *Murray* and his adherentis, quha have bene publictlie accuſit be thame in the Quene thair Soverane's name, befoir the Quene's Majeſtie of *Ingland*, and hir maiſt honorabill counſall, are licenſit and permittit, be the Quene's Majeſtie of this realme, to depart into *Scotland*, not abiding to heir the defence of the Quene's Hienes of *Scotland*'s innocency, nor the tryal and pruif of thair detectioun, quhilk was offerit to verifie and pruif thame guiltie and culpabill of the ſamin crime, but thair being fully dimittit, and na end put unto the cauſe, according to the equity and juſtice thairof; It appeirit not thairfoir convenient or meit that the Quene's Hienes of *Scotland*, thair Soverane, ſould mak ony furder anſwer, leſs nor hir ſaid rebellis be ſtoppit to remane within this realme, until the time that the tryal tak end: And gif thay wer ſufferit to depart, deſirit it micht be alſwa leaſum to the Quene thair Soverane, and to hir Commiſſionaris and cumpanie, to depart into *Scotland*, for the greit inconvenience micht follow, in cais the ane part wer permittit to paſs within the realme of *Scotland*, and the uther detenit within *Ingland*; and the inequality of dealing in that behalf is apparent."

To the quhilk it was anſwerit be the counſal foirſaid, "That the Erle of *Murray* has promiſit to the Quene's Majeſtie of *Ingland*, for himſelf and his cumpanie, to return agane quhenſoever hir Majeſtie ſould call for him or thame: Bot in the mene tyme, the Quene of *Scotland*, thair Maiſtres, could not be ſufferit to depart, for divers reſpectis; nottheles thay wald muif the Quene's Majeſtie of *Ingland* to licence hir Commiſſionaris to depart into *Scotland*, and beleifit ſurelie ſcho wald not detayn thame, being cum hidder upon hir Majeſtie's ſaif-conduct:" And the ſaidis Biſhop of *Roſs*, Lord *Herys*, and Abbot of *Kilwynning*, declarit unto thame, "That thay could do na leſs nor to deſyre

deſyre the Quene thair Maiſtres to be ſent in hir awin countrie, amangis hir faithful ſubjectis, as thay have deſyrit oftentymes befoir." And in cais it be not permittit to hir Majeſtie to paſs thither, "Thay proteſtit ſolemnlie, that quhatſumever thing ſcho did within this realme, being detenit heir, ſould not prejudge hir honour, eſtait, perſoun, auctoritie, nor hir guid ſubjectis, as being aganis hir will and libertie detenit." And thairupon thay tuik inſtrumentis in the handis of Mr. *Alexander Leſly* Notar-publict, in preſence of *George Barclay* of *Gartlie*, Knicht, *Colin Seton* of ———, and *Robert Hamilton* Brother to the Laird of *Stanehouſe*, with utheris diverſe.

NUMB. CXXV.

Obligatio Comitis de Murray, regni Scotiæ Regentis, pro quinque mill. librarum.

From *Rymer's fœdera, tom.* 15. *pag.* 677.

WE *James* Erle of *Murray*, *&c.* Regent of the realme of *Scotland*, do graunt and confeſs, by theſe preſentis, to have reſaived, by the handis of our loving freind *John Thomworth*, Eſquyier, one of the pryvie chamber to the ryght excellent and myghtie Princes *Elizabeth*, Quene of *England*, *France* and *Yrland*, *&c.* for and in the name of the ſaid excellent Princes, the ſum of fyve thouſand pundis *Sterling*, current money of the realme of *England*, lent to ws in our gryit neceſſité, and maiſt neceſſair ſervice, for the meyntenance of peaice betwix the realmes of *England* and *Scotland*, and to appeaſe and withſtand the attemptis and interpryſes of the commoun ennymeis and diſturberis of the commoun quiet of both the ſaid realmes; for the quhilk cauſes we bynd and oblife ws, be the fayth and treuth in our bodie, thankfully to content and pay to the ſaid maiſt excellent and myghtie Princes the foirſaid ſowme of fyve

thouſand pundis, in this maner following; that is to ſay, two thouſand ſyve hundreyth pundis money abuif ſpecifyit, being the one half of the ſowme foirſaid, at or befoir the twenty fourt day of *Junij* nixt and immediatly following the day and dait heirof; and utheris two thouſand ſyve hundreyth pundis money foirſaid, at or befoir the firſt day of *November* nixt and immediatlie following, in compleit payment of the foirſaid ſowme of ſyve thouſand pundis money abuif ſpecifeyt, or to hir Majeſtie's Factouris and Officiaris, in hir Hienes's name, having ſpecial commiſſioun from hir Hienes to that effect; all fraude excludit.

In wytnes heirof, to this our obligatioun, ſubſcryvit with our hand, our ſignet is affixit, at *Weſtminſter*, the auchtene day of *Januar*, in the zeir of God ane thouſand, fyve hundreyth, thré skoyr and aucht zeiris.

JAMES *Regent*.
L. S.

NUMB. CXXVI.

A letter from Queen Mary *of* Scotland, *to the Earl of* Huntlie, *her Lieutenant in the north, the* 5th *of* January, 1568-9.

An Original. *Cot. Libr. Gal. C.* 1. *fol.* 280.

RIGHT traiſt Couſigne and Counſallour, we greit zou weill. We have reſſavit zour letter be the beirar heirof, daitit the v. of this laſt moneth, and has conſiderit the ſame. Notwithſtanding that we have written to zou laitlie anent the eſtait of our effairis, ſa amplie as we war informit thairof, zit this preſent is to ſchaw zou, that my Lord *Boyd*, our traiſt Couſigne and Counſallour, wha arrivit heir from the court the xxvij. of the ſaid moneth, has declarit to us, how our rebellis has done the worſt thay could to have diſhonourit us, quhilk, thankis to God, lyis not in thair

thair powar, bot be * thair expectatioun has found thameſelfis diſappointit of that thay luikit for.

Thay procure now to ſeik appoyntment; bot albeit we be not of ſic nature as thais that forgevis never, not-the-les we ſall cauſe thame acknawledge thair fuliſhnes, and the ſaid Quene, our guid ſiſter, and hir counſal, knaw thair fals inventiounis and offences practiſit aganis us, to cullour thair traiſoun and wickit uſurpatioun; ſwa that it ſall be manifeſt to all the warld quhat men thay ar, to our honour, and contentment of our faythful ſubjectis. For, prayſit be God, our freindis increſſis, and thairis decreſſis daylie.

Ze ſall reſſave ane letter be this beirar, to be ſubſcryvit be zou, and our Couſigne the Erle of *Argyle*, quhilk is maid be my Lord *Boyd*'s adwyſe, conform to the declaratioun ze maid to our traiſt Counſallour the Biſhop of *Roſs*, he knawing zour deliberatioun and will thairintill. And albeit we knaw thair is na neid to uſe ony perſwaſioun towart zou, quhairthrow ze may be drawin to that quhairintill ze can have nathing bot reputatioun and honour; and ſeing it is for our juſt defence, calumniate be the unfaithfulneſs and treſſoun of our rebellis, zit we thought guid to wryte unto zou this preſent, praying zou to ſchaw, that the virtue quhilk is in zou, and equitie of our cauſe, may not endure our adverſaris, and zours, to uſe ſic bragging, quhilk, be the faythful report of our Commiſſionaris, and utheris, that ar in the court of *Ingland*, ze may underſtand thay mak aganis us and zou twa, amangis the reſt of our faythful ſubjectis. As to our part, we ar reſolute not to ſpair thame in ſetting the veritie to thair leyis, and hopis, with the grace of God, and equitie of our cauſe, that all quhilk thay have alledgit aganis us ſall find the ſamin to thair awin ſhame and confuſioun. We refer to zour diſcretiounis to eik and pair the ſaid letter as ze ſall think beſt, and extend it in ſic form as ze ſall think maiſt neceſſare, praying zou to ſend us the ſamin agane ſubſcrivit and ſeillit

* beſide.

lit the ſooneſt ze may, to the effect it may be producit, togidder with the reſt of the accuſatiounis quhilk we intend to give in aganis our tratouris.

Ze ſall alſwa reſſave ane copie of the Quene our ſiſter's auſwer to our Commiſſionaris ſupplicatioun, quhilk ze may conſider. Mairattour, we have underſtand that ze ar in propos to change the Provoſt of *Elgin*, quhilk we wiſh and pray zou not to do, bot to retene him quha is in the ſamin office alreddy, ſa lang as he remainis conſtant and faythful to us, ſwa that thair be na uther put in place, as ze will do us pleſour, and report our thankis thairânent. Referring the reſt to the beirar, quhom ze will credit, committis zou to the protectioun of Almychtie God. Off *Bowton* the 5th of *Januar*, 1568.

Zour rycht guid Couſign,

and aſſurit frind,

MARIE R.

NUMB. CXXVII.

The proteſtatioun of the Erlis of *Huntley* and *Argyll*, touching the murthour of the King of *Scottis*.

A Copy. *Cot. Libr. Cal. C.* 1. *fol.* 282.

WE *George* Erle of *Huntley*, Lord *Gordoun*, and great Chancellour of *Scotland*, and we *Archibald* Erle of *Ergile*, Lord *Campbell* and *Lorne*, and greit Juſticiar of the ſaid realme; It mott be kend till all and ſindrie [to] quhais knawledge thir preſentis ſall cum, how we (being informit

that

that ſum diſobedient ſubjectis to the Quene's Majeſtie our ſoverane Lady, for excuſe and covering of thair taking armour aganis hir Hienes, impriſoning of hir maiſt nobill perſoun, uſurping of hir Grace's auctoritie, practiſing the keiparis of the principal places and fortreſſis of hir realme, invading thairof, reiving and ſpuilzeing hir Majeſtie's pretious movabillis, jewellis, and ſtanes of greit valour, durſt, in lying falſly and calumnioufly, accuſe hir Hienes to have bene of the foirknawledge, counſallit, devyſit, perſwadit, and commandit the murthour committit in the perſoun of umquhile *Henry Stewart*, hir Majeſtie's husband) will, for the dewtie of guid and faithful ſubjectis, and diſcharge of our conſciences afoir God and the warld, declair that quhilk we knaw of the ſaid murthour. That is to ſay,

In the zeir of God 1566 zeiris, in the moneth of *December*, or thairby, efter hir Hienes's greit and extreme ſeiknes, and retourning from *Jedwart*, hir Grace being in the caſtel of *Craigmillar*, accompanyit be us abone written, and be the Erlis of *Bothwell*, *Murray*, and Secretaire *Lethingtoun*; the ſaid Erle of *Murray* and *Lethingtoun* came in the chamber of us the Erle of *Ergile* in the morning, we being in our bed; quha "lamenting the baniſhment of the Erle of "*Mortoun*, Lordis *Lyndſay* and *Rowen*, with the reſt of thair "factioun, ſaid, That the occaſioun of the murthour of "*David*, ſlane be thame in preſence of the Quene's Maje-"ſtie, was for to troubill and impeſche the parliament; "quhairin the Erle of *Murray* and utheris ſould have bene "foirfaltit, and declarit rebellis. And ſeing that the ſamin "was cheiflie for the weilfare of the Erle of *Murray*, it "ſould be eſtemit ingratitude gif he and his freindis, in "reciproque manner, did not interpryſe all that wer [in "thair] puiſſance for releif of the ſaidis baniſhit; quhair-"foir thay thocht, that we, of our part, ſould have bene as "deſyrous thairto as thay wer."

And we agréing to the ſame, to do all that was in us for thair releif, provyding that the Quene's Majeſtie ſould not be offendit thairat: On this *Lethingtoun* proponit and ſaid,

ſaid, " That the narreſt and beſt way till obtene the ſaid " Erle of *Mortoun*'s pardoun, was, to promiſe to the Quene's " Majeſtie to find ane moyen to mak divorcement betwix " hir Grace and the King hir husband, quha had offendit " hir Hienes ſa hielie in mony wayis."

Quhairunto we anſwering, That we knew not how that myght be done; *Lethingtoun* ſaid, the Erle of *Murray* being ever preſent, " My Lord, Cair zou not thairof. We " ſall fynd the meane weill aneuch to mak hir quite of " him, ſwa that zé and my Lord of *Huntlie* will onlie be- " hald the matter, and not be offendit thairat."

And then thay ſend to my Lord of *Huntlie*, praying him to cum to our chalmer.

This is as thay dealit with us particularlie. Now lat us ſchaw quhat followit efter that we wer aſſemblit.

We Erle of *Huntlie* being in the ſaid chalmer, the ſaidis Erle of *Murray* and *Lethingtoun* oppinit the matter lykwiſe to us in manner foirſaid, promiſing, if we wald conſent to the ſamin, that thay ſould fynd the mean to reſtoir us in our awin landis and offices, and thay to ſtand guid freindis unto us, and cauſe the ſaid Erle of *Mortoun*, *Rowen*, and all the reſt of that cumpanie, to do the like in time cuming. Our anſwer was, it ſould not ſtop be us, that the matter cum not to effect, in all myght be profitfull and honorabill baith for thame and us, and ſpeciallie quhair the pleaſour, weill and contentment of the Quene's Majeſtie conſiſtit. And thairon we four, *viz.* Erlis of *Huntlie*, *Ergile*, *Murray*, and Secretaire *Lethingtoun*, paſt all to the Erle of *Bothwell*'s chalmer, to underſtand his adviſe on thir things proponit; quhairin he ganeſaid not mair than we.

Swa thairefter we paſt altogidder towardis the Quene's Grace; quhair *Lethingtoun*, efter he had rememberit hir Majeſtie of ane greit nombre of grievous and intollerabill offences, that the King, as he ſaid, ingrait of the honour reſſavit of hir Hienes, had done to hir Grace, and continewing everie day from evil to worſe; proponit, " That " gif it pleiſit hir Majeſtie to pardoun the Erle of *Mortoun*, " Lordis

" Lordis *Rowen* and *Lyndſay*, with thair cumpanie, thay " ſould fynd the meanis with the reſt of the Nobilitie, to " mak divorcement betwix hir Hienes and the King hir " husband, quhilk ſould not neid hir Grace to mell thair- " with. To the quhilk it was neceſſare, that hir Majeſtie " tak heid to mak reſolutioun thairin, als weill for hir awin " eaſement als weill of the realme; for he troublit hir " Grace and us all; and remaining with hir Majeſtie, wald " not ceis till he did hir ſum uther evil turn, quhen that " hir Hienes wald be mekil impeſchit to put remeid thairto."

Efter thir perſuaſiounis, and utheris divers, quhilk the ſaid *Lethingtoun* uſit, by * theſe that everie ane of us ſchew particularlie to hir Majeſtie to bring hir to the ſaid purpois, hir Grace anſwerit, " That under twa conditiounis " ſcho myght underſtand the ſamin; the ane, that the di- " vorcement wer maid lauchfullie; the uthir, that it war " not prejudice to hir ſone; utherwayis hir Hienes wald " rather endure all tormentis, and abyde the perrellis " that myght chaunce hir in hir Grace's lyftyme." The Erle of *Bothwell* anſwerit, " That he doutit not bot the di- " vorcement myght be maid but prejudice in ony wayis of " my Lord Prince;" alledging the exampill of himſelf, that he ceiſſit not to ſucceid to his father's heritage without ony difficultie, albeit thair was divorce betwixt him and his mother.

It was alſwa proponit, that efter thair divorcement the King ſould be him allane in ane part of the countrey, and the Quene's Majeſtie in ane uther, or ellis he ſould reteir him in ane uther realme; and heiron hir Majeſtie ſaid, " That peradventure he wald change opinioun, and that it " wer better that ſcho hirſelf for ane tyme paſſit in *France*, " abyding till he acknawledgit himſelf." Then *Lethingtoun* taking the ſpeache, ſaid, " Madame, Fancie ze not " we ar heir of the principal of zour Grace's nobilitie and " counſal, that ſall fynd the moyen, that zour Majeſtie ſall " be quyte of him without prejudice of zour ſone. And al-

* beſides

" beit that my Lord of *Murray* heir preſent be lyttill les " ſcrupulous for ane Proteſtant, nor zour Grace is for ane " Papiſt, I am aſſurit he will luik throw his fingeris thairto, " and will behald our doingis, ſaying nathing to the ſamin." The Quene's Majeſtie anſwerit, " I will that ze do nathing " quhairthro ony ſpot may be layit to my honor or conſci- " ence, and thairfoir I pray zou rather lat the matter be in " the eſtait as it is, abyding till God of his guidnes put re- " meid thairto; that ze beleifing to do me ſervice may " poſſibill turn to my hurt and diſpleaſour." " Madame, " (ſaid *Lethingtoun*) lat us guyde the matter amangis us, " and zour Grace ſall ſé nathing bot guid, and approvit " be parliament."

Swa eſter the premiſſis, the murthour of the ſaid *Henry Stewart* following, we judge in our conſciences, and haldis for certane and treuth, that the ſaidis Erle of *Murray* and Secretarie *Lethingtoun* wer auctoris, inventaris, devyſeris, counſallouris, and cauſeris of the ſaid murthour, in quhat maner, or be quhatſumever perſounis the ſamin was execute.

And quhair the ſaidis Erle of *Murray* and *Lethingtoun*, or ony of thame, will deny and ganeſay to the foirſaid, we ar deliberat to defend the ſamin be law of armis, as our awin proper honour, in quhatſumever place thay will cheiſe in *Scotland*, afoir the eſtaitis thairof; out of the quhilk realme we cannot paſs, be reſſoun of the troubillis ar thairintill. And gif the Quene's Majeſtie of *Ingland* pleiſis to ſend ony in hir name, to heir and ſé the premiſſis defendit, the ſamin ſall be put to executioun in thair preſence. And albeit that *Lethingtoun* be nouther of qualitie nor blude equal unto us, notwithſtanding we will admit and reſſave him in combat with the ſaid Erle of *Murray*, gif thay will baith preſent thameſelfis thairto. And quhair ane of thame onlie wald deny and ganeſay it that is afoir reherſit, and accept the ſaid combat, outher the ane or the uther of us ſall reſſave the ſamin; proteſting that gif thay anſwer not directlie to this our preſent atteſtatioun, declaratioun, accuſatioun and cattell, thay ſall be repute guiltie and vainquiſſit of the ſaid

mur-

murthour. In witneſs of the quhilk we have ſubſcrivit thir preſentis with our handis, and ſeillis of our armis affixit thairto, at the day of and at the day of the ſaid moneth, the zeir of God ane thouſand, fyve hundred, threſcoir aucht zeiris, and of our ſoverane Lady's Regime the xxvij. zeir.

NUMB. CXXVIII.

Ane anſwer by the Earl of *Murray* Regent, to the proteſtation of the Earls of *Huntly* and *Argyll*.

An Original. Paſted on the back of the proteſtation.

BECAUSE the cuſtume of my adverſaris is, and has bene, rather to calumpniat and backbite me in my abſence, than beſoir my face; and that it may happen thame, quhen I am departit furth of this realme, ſclanderouſlie and untrewlie to report untreuthis of me, and namelie, towardis ſum ſpechis haldin in my hearing at *Craigmillar*, in the moneth of *November*, 1566. I have alreddie declarit to the Quene's Majeſtie the effect of the haill purpoſis ſpokin in my audience at the ſamin tyme, ſincerelie and trewlie, as I will anſwer to Almychtie God, unconceilling ony part to my remembrance, as hir Hienes I traiſt will report. And farther, in cais ony man will ſay and affirm that ever I was preſent quhen ony purpoſis wer haldin at *Craigmillar* in my audience, tending to ony unlauchful or diſhonorabill end, or that ever I ſubſcrivit ony band there, or that ony purpois was haldin anent the ſubſcriving of ony band be me, to my knawledge; I avow thay ſpeik wickitlie and untrewlie, quhilk I will mantene aganis thame, as becumis ane honeſt man, to the end of my lyfe; onlie this far the ſubſcripti-

oun of bandis by me is trew, That indeed I ſubſcrivit ane band with the Erlis of *Huntlie*, *Ergile*, and *Bothwell*, in *Edinburgh*, at the beginning of *October* the ſamin zeir 1566, quhilk wes devyſit in ſigne of our reconciliation, in reſpect of the former grudges and deſpleaſouris that had bene amangis us; quhairunto I was conſtranit to mak promiſe befoir I could be admittit to the Quene's preſence, or have ony ſchew of hir favour; and thair wes never na uther band ather maid or ſubſcrivit, nor zit proponit to me in ony wayis, befoir the murthour of umquhile the King, father to the King, now my Soverane: Nouther zit, eſter the murthour, wald I ever, for ony perſuaſioun, agré to the ſubſcriptioun of ony band, howbeit I was earneſtlie urgit and preſſit thairto be the Quene's commandment.

This far I thocht guid to put in write, and leif behind me, in cais (as I have befoir ſaid) my adverſaris, in my abſence, hald ſpeche, and report untrew matteris of me, to my diſhonour or diſadvantage.

Subſcrivit with my hand at *London* the nyntene day of *Januar*, 1568.

JAMES REGENT.

Below is written in Secretary *Cecil*'s hand, thus;
19 *Januar*, 1568.

An anſwer of the Erle of Murray, *to a wryting of the Erle of* Huntly *and* Argyll.

NUMB.

NUMB. CXXIX.

The Quenes Majeſty to the Lord Wardens of the marches, for aſſiſtance of the Erle of Murray.

From a minute corrected by Secretary *Cecil.*

WE grete you well. Wheras the Erle of *Murray*, and uther Noblemen and Gentlemen of *Scotland*, came into this our realme, upon our requeſt, and by our ſaife conduct for their entry and departure, we lett you know, that we have licenſed him, and them all, with their traynes, to returne into *Scotland*, there to continue in their former eſtates. Wherfore they, dowting of ſome impediment to them, or to their trayne, nere to our borderis, as well on this ſide, as ſomewhat beyond the ſame, have required of us, that you our Wardens, ſpeciallie of our eaſt and middle marches, ſhuld procure and gyve them aſſiſtance and conduct for avoyding of the attempt of their contraries: Wherunto we have agreed, conſidering otherwiſe it ſhuld towche us in honor if they ſhuld receave any loſſe, comming as they have doone upon our requeſt. Wherfore we wold have you the Wardens of our eaſt and middle marches gyve order, that the ſaid Erle, and all his company, may be ſurely conveyed, if they ſhall require the ſame, from *Newcaſtle* to the bounds of *Scotland*: And if you ſhall find any neceſſity to ſee them conducted ſomewhat furder within their own limits, from the danger of their contraries, ſo alſo to ayde them. And further, upon the requeſt of the ſaid Erle of *Murray*, and in reſpect of his long continuance here, and of the inwarde trobles which we heare are ſturred by his contraries to his diſadvantage, wherby, as it ſemeth, he can not preſently attend the due adminiſtration of juſtice upon the frontiers, as he ſemeth he gladly wold, we wold have you forbeare ſome reaſonable time from preſſing of him,

in

in any exact maner, to cauſe the due reſtitution to be made for wrongs done upon the frontiers, except it ſhall be for the ſlaughter of any of our ſubjects; for that he will make you good aſſurance of due reſtitution and recompence for all maner of wrongs, as ſone as he may ſtay the trobles within the inward parts of the contrey. Furdermore alſo, we wold have you give like aſſiſtance, as hertofore in times paſt hath bene uſed, for mayntenance of good orders uppon the frontiers, to the ſaid Erle and the Officers uppon the frontiers, for the ſuppreſſing of all owtlawes, and other diſorderid perſons, that ſhall attempt to breake the lawes and ordinances of the marches, and violate the publick peace; ſuffering none ſuch to abyde or reſort into any part of our realme, or their wifes, children, ſervants, or goods, but to be expellid or deliverid to the oppoſit Wardens: Nether ſhall you ſuffer any *Scottiſhman* to come into this our realme, without ſpeciall recommendation of the ſaid Erle of *Murray*, having preſently the government of that realme. And becauſe we have hitherto found no matter to move us to diſavowe the authoritie wherin we have found him, knowing him to be well diſpoſed to manteyn juſtice and peace betwixt both theſe realmes, we wold have you nether do, nor ſuffer to be don, any maner of thing within your rules, prejudiciall to his government, before you ſhall have direction from us; but generally to furder him in all reaſonable cauſes during the time we ſhall allow therof. And for that it is mooſt likely that you the Lord of *Hunſdon* ſhall have the furſt ſight of theis our letteris, cumming furſt into your hands, our will and pleaſure is, that ye ſend furthwith ſeveral copies of them, duly examined and ſubſcribed be you, unto the Wardens of our middle and weſt marches there, wherby they may likewyſe underſtand our pleaſure here expreſſed.

NUMB.

NUMB. CXXX.

A copy of a letter of the Quene of Scotts, *which was intercepted and ſent to the Erle of* Murray, *about the* 18th *of* January, 1568.

From a copy indorſed by Secretary *Cecil.*

AS to the eſtait of my affairis, I doubt not but ye have underſtand, that at the convention in *Zork* my rebellis wer confoundit in all that thay could alledge for cullouring of thair inſurrectioun, and my impriſounment. Perſaving the quhilk, thay did ſa mekill be moving of ſum of the Quene of *Ingland*'s Miniſteris, that, aganis hir promiſe, ſcho has lettin thame have hir preſence; and to cullour thair cuming towardis hir, ſaid, ſcho wald hirſelf underſtand the continuatioun of this conference, to the effect the ſamin ſould be the mair promptlie endit with ſum happy outgait to my honour and contentment; and thairfoir deſirit, that ſum of my Commiſſionaris ſould paſs towardis hir incontinent. Bot the proceidingis ſenſyne hes ſchawin it was not the butt ſcho ſchot at; for my matter hes bene prolongit in delayis, in the mene time that my rebellis practiſit ſecreitlie with hir and hir Miniſteris. Swa thay have convenit and accordit, that my ſone ſould be deliverit in hir handis, to be nuriſchit in this countrey as ſcho ſall think guid. *Item*, Declaring him to be als abill to ſucceid efter hir deith, in cais ſcho have na ſucceſſioun of hir bodie. For hir ſuretie the caſtellis of *Edynburgh*, *Striveling* ſall be in *Ingliſhmen*'s keiping on the ſaid Quene of *Ingland*'s moyens. *Item*, With hir moyens, and the concurrence of the Erle of *Murray*, the caſtel of *Dumbarton* ſall be aſſeigit, and tane out of the handis, gif thay may, and be lykwiſe renderit to the ſaid Quene of *Ingland*'s behuif and keiping. Prōvyding thir promiſis be keippit, ſcho has promiſit to ſupport and mantene the Erle of

of *Murray* in the uſurpatioun of my authoritie, and cauſe him to be declarit legitime to ſucceid unto the crowne of *Scotland* efter the deceis of my ſone, in cais he die but bairnis gottin of his bodie: And in this cais the Erle of *Murray* ſall acknawledge to hald the realme of *Scotland* in few of the Quene of *Ingland*. Thus all the equitie of my caus, the connoiſſance of the quhilk I traiſtit in the ſaid Quene of *Ingland*, hes bene renuncit, and miſerabillie ſauld for the ruine of my realme, except that God, and guid *Scottis* hart of my faithful ſubjectis, remeid not the famin. Zit this is not all, thair is ane uther ligge and intelligence betwix the Erle of *Murray* and the Erle of *Hartford*, quha ſould marie ane of Secretarie *Cecil*'s dochteris, quha dois all thair drauchtis. Be the quhilk lippining, the ſaid Erle of *Murray* and *Hartfurd* ſould meit and fortefie ilk ane uther in the ſucceſſioun that ilk ane of thame pretends on his awin ſide; that is to ſay, the Erle of *Murray* on the ſide of my realme, be reſſoun of the ſaid legitimatioun; and the Erle of *Hartfurd* on the ſide of *Ingland*, becauſe of umquhill Dame *Katheryn*, on quhom he begat twa bairnis: Swa thay will be baith bent to my ſone's deith; quha being out of my ſubjectis handis, quhat can I hoip for but lamentabill tragedie? Thir thingis ar concludit amangis the cheif of my rebellis, and the ancient and natural enemies of my realme; and thair reſtis nathing now bot the moyens to eſtabliſh and aſſuir the ſaid Erle of *Murray* in his uſurpatioun. To begin the ſamin, thay would have perſuadit me, be craft, to have liberallie dimittit my crown, and conſentit to the regentrie of the ſaid Erle of *Murray*; and to have cauſit me condiſcend to ſik ane unhappy thing, thair has bene uſit all craft and boiſting that has bene poſſibill, with fair promiſis. But ſéing I was reſolvit to do nathing thairin to thair proffit, the Quene of *Ingland* namit new Commiſſionaris with thame that wer alreddie depute, in nombre of the quhilk the ſaid tratour, and utheris of his factioun; and not permitting me to paſs thair to declair my awin reſſounis, that thay wald have pretermittit in the ſaid con-

conference. Quhilk being brokin, for inlaik that the Quene of *Ingland* has maid of hir promiſe, quhilk was, not to permit the Erle of *Murray* to cum in hir preſence afoir the ſaid conference wer endit; and maſrover, thair ſould be nathing done to the prejudice of my honour, eſtait and rycht, that I may have in this countrey efter hir; my ſaidis Commiſſionaris left the ſaid conference the ſixt of this moneth, with ſolempnit proteſtatiounis, that all quhilk wer done thairin to the prejudice of me in ony ſort, ſall be null and of nane effect nor valor, and thairon ar deliberat to cum away as ſoon as is poſſibill: Quhairof I thocht gud to adverteis zou, to the effect ze may underſtand the veritie of the ſamin matter, and inform our freindis of the ſamin. I pray zou to aſſembill our freindis my ſubjectis, lyk as I have writtin to my Lord of *Argyle* and *Huntlie* to haiſte to zour releif; doing all the hinder and evill that ze may to the ſaid rebellis, and ſtop thair returning hame, gif it be poſſibill; for thay will be reddie befoir zou, gif ze mak not haiſt. Swa ze being altogidder aſſemblit in conventioun, not feiring that I ſall ſtop or diſcharge zour proceidingis, as I did the laſt time, ze ſall declair and ſchaw publictlie, be oppin proclamatioun, the afoirſaid conſpiracie and treſſoun, quhilk the ſaid rebellis hes conſpirit aganis the weill of the realme of *Scotland*, intending to put the ſamin in executioun, to the deſtructioun thairof, gif thay be not ſtoppit in dew time; and thairfoir ze, with my haill faithful ſubjectis, and all trew *Scottis* hartis, will do diligence to ſtop the performance of thair intentiounis. This undertendit, I am maiſt aſſeurit, that at the ſpring of the zeir ze *** ſufficient releif of uther freindis.

Proclame and hald ane parliament, gif ze may.

underſtand, not to have to come of hir or hir counſell, as hereafter ſhall more manifeſtly appeare.

NUMB. CXXXII.

Proceidingis at Hampton-court, *the* xxi. *day of* January, 1568.

From Queen *Mary*'s Regiſter.

NOtwithſtanding of the foirſaid promiſe maid * be the Lordis of counſal, to muif to the Quene's Majeſtie for thair licence to depart, zit thay wer ſtayit, and could not have preſence of the Quene's Majeſtie, for obtaining of thair leive to depart till the xxi. day of *January*. Upon the quhilk day the Duke of *Chaſtelherault*, being admittit to the Quene's Majeſtie's preſence, got licence to depart into *Scotland*, and the Abbot of *Kilwynning* with his Grace; but was not permitted to ſpeak with the Quene's Majeſty of *Scotland* in his way, but the ſamin refuſit allutterlie.

And the Quene's Majeſtie of *Ingland*, in preſence of hir Hienes's counſal, declarit unto the ſaid Biſhop of *Roſs* and Lord *Herris*, "That there wer certane proclamatiounis "maid in *Scotland*, and writings ſent in the Quene thair "Maiſtres's name, in the quhilk hir Hienes's honour was "touched;" and thairfoir deſirit to knaw "gif thay had "gevin hir counſal, or informatioun, to cauſe mak ſic "proclamatiounis or writingis:" And to that effect deſired thame to write to thair Maiſtres, to declair thair part thairof, and to report hir anſwer thairupon; unto the quhilk time hir Majeſtie commandit thame to remane ſtill at *London*, *Kingſton*, or thairabout, albeit the Duke of *Chaſtelherault* departit: Quhilk neceſſarlie thay obeyit; and ſent *Alexander Bog* diligentlie with writingis to the Quene

of

* Numb. cxxiv. p. 312.

of *Scotland*, deſiring hir Hienes to certifie hir Majeſtie of *Ingland* thairof, and to declair thair innocencie and part thairintill, to the effect thay might get licence to depart.

And the ſaid *Alexander* came to hir Majeſty at *Rippon*, the ——— day of *January*, quhair hir Hienes was come in hir journay from *Bowton*, paſſing to *Tutberry*, at the ſpecial command of the Quene's Majeſtie of *Ingland*, hir Commiſſionaris not being maid privy thairto, albeit thay were at court, and ſtayit; quhilk movit hir Hienes to be offendit with hir ſudden removing but thair knawledge or adverteſement. Zit nevertheleſs, efter the receipt of hir Commiſſionaris writingis, hir Hienes wrote to the Quene's Majeſtie of *Ingland*, declaring the manner of all ſuch as ſhe ſent into *Scotland*, and hir Hienes had ſent none quhairin ony thing was touchit being prejudicial to the Quene's Majeſtie of *Ingland*'s honour in ony ſort: And quhatſoever was written, hir ſaid Commiſſionaris, in ſpecial the Biſhop of *Roſs* and Lord *Herries*, wer not in counſal thairof, nor knew nathing of the ſamin; praying hir Majeſtie to licence thame to depart, and to permit, that it ſould be leafum to twa of hir Commiſſionaris to remane with hir, ſa lang as it were hir pleaſour ſcho ſould remane in *Ingland*, and to take ſum gude ordour for hir honour, weill and quietneſs of hir countrey of *Scotland*, as in the ſaid letter is contenit at lenth.

NUMB. CXXXIII. *Ibid.*

Proceedings at Hampton-court *on* Mononday *the laſt of* January, 1568.

THE ſaid Biſhop of *Roſs* and Lord *Herries* wer admittit to the Quene's Majeſtie of *Ingland*'s preſence, and of hir honorabill counſal, quhair thay deliverit the Quene's Hienes of *Scotland* thair Soverane's letteris, bearing full declaratioun of thair part concerning the ſaid proclamatioun and

and writingis *: Quhilkis being reſſavit be hir Majeſtie, and conſiderit be the advice of hir counſal, thay wer found to be fully diſchargit thairby of ony counſal or informatioun thairof: And thairfoir it was hir Majeſtie's pleaſour thay ſould be licenſit to depart; and deſirit thame to return the ſecund day of *February* to hir Majeſtie's preſence and hir counſal, to tak thair leive.

NUMB. CXXXIV.

Th' Erle of Murray *to Secretary* Cecil.

From the original, among *Cecil*'s papers.

AFTER my maiſt hertlie commendatiounis. Being thus far procedit in my journay hamewart, I wald not forget to lat zou underſtand of the ſamin, and how honorabillie and ſubſtancioullie I have bene convoyit throw the boundis of the frontiers; bot cheiflie be my Lord *Hunſdon*: Quha, althocht he lak not the Quene's Majeſtie's commandement, zit of himſelf hes ſchawin me ſic pleaſour and courteſie, that I think me haichlie bound to him thairfoir. I mon rander zou my maiſt hertie thankis for the greit expeditioun uſit in furthſetting of the Quene's Majeſtie's proclamatioun, anent the untrew reportis publiſhit in *Scotland*. For trewlie, as it is honorabill for hir Majeſtie to manifeſt the treuth aganis ſuch ſclanderous lyis; ſa hir Hienes declaratioun has alreddy, and is abill aneuch to do greit guid in *Scotland* amangis my freindis; of quhom, na doubt, the hartis of divers wer woundit, that, without this medicine tymouſlie miniſtrat, thay had bene in na ſmall danger. In my returning hamewart I have bene erneſt be ſic moyen, as I culd, to underſtand of the Quene my Soverane's mother's diſpoſitioun. And trewlie, (ſa far as I can in-

* Which are printed, Numb. cxxx. See alſo Numb. cxxxij.

inquire) in hir conſait ſhe eſtemis hirſelf nathing dejectit nor deſtitute of friendſhip: And ſwa methink thair was never greiter occaſioun to be cairful of hir ſuirtie: Quhilk I wrait, evin als mekill for the Quene's Majeſtie's eſtait, and for the repoſe that godlie and honeſt men hes under hir gracious and quiet governance, as for my awin place and intereſſe; quhilk can never be in guid cais, the uther being troublit. Ze ar wyſe aneuch without my counſal or admonitioun; quhilk zit I traiſt ze will tak in guid part, as fra him quhom ze may uſe as ony freind ze have. God preſerve zou perpetuallie.

At *Berwick*, the laſt of *January*, 1568.

Zour ritht aſſurit friend to his uttermaiſt,

JAMES REGENT.

To my rycht weilbelovit and aſſurit freind
Sir William Cecil *Knycht, principall*
Secretary to the Quene's Majeſtie of
England.

POSTSCRIPT.

Gif the Lordis *Boyd*, *Hereis*, and Biſhop of *Roſs*, could be ſtayit for a ſeaſon, it wald do greit gude.

NUMB. CXXXV.

Proceedings at Hampton-court, *upon* Wedneſday *the* 2d *day of* February, 1568.

From Queen Marie's Regiſter.

THE ſaid Biſhop of *Roſs* and Lord *Herries* being admitit to the preſence of the Quene's Majeſtie of *Ingland*, and hir maiſt honorabill counſal being preſent, to wit, the Duke of *Northfolk*, Marquis of *Northampton*, Erlis of

Pem-

Pembroke and *Leceſter*, the Lord *Clinton* Admiral, the Lord *William Howard*, Sir *William Cecil* principal Secretarie, and Sir *Walter Myldmay* Knichtis, declarit unto hir Majeſtie, beſoir the taking of thair leive to depart, That it being hir Majeſtie's gude will and pleſour, thay wer in reddineſs to depart toward the Quene's Hienes of *Scotland*, thair Maiſtres, and thocht it neceſſarie to mein and declair certane ſpecial heidis and articlis, concerning the weill and honour of the Quene thair maiſtres; maiſt humbly requiring hir Majeſtie's anſwer to everie ane of thame ſeverallie, that thay may certifie the Quene thair ſaid Maiſtres thairof, for thair diſcharge, being this in effect:

I. Thay deſirit it wald be hir Majeſtie's pleaſour to ſuffer the Quene's Hienes, thair Soverane, to depart into hir awin realme, with ſic ſupport, or utherwayis; ſéing that hir inobedient ſubjectis wer returnit with libertie.

To the quhilk it was anſwerit be hir Majeſtie, "Foraſmuchas ſcho had taken the ordour and redreſs of hir cauſis upon hir, and the ſamin as zit not perfytit, nor taken effect; thairfoir could not ſuffer hir as zit to depart furth of hir realme."

II. Séing it was hir Majeſtie's pleſour to keip hir within this realme, thay deſirit to knaw, gif ſcho ſould be enterteinit as a fré Princeſs, at libertie, and hir ſubjectis and ſervandis to have acceſs unto hir as of beſoir, or in quhat uther manner?

To the quhilk hir Majeſtie anſwerit, "Scho ſould be enterteinit as a fré Princeſs, honorabillie, according to hir eſtait, with all ſic liberties and privileges ſcho had at ony time beſoir, ſince hir cuming into this realme. And albeit ſcho was removit to *Tutberry*, thair ſould nathing be alterit of hir enterteinment ſcho had in *Bowton*, ſaving onlie the change of the Erle of *Schrewsbury* to be keipar, in place of the Lord *Scrope*. And in the mene time, gif ſcho wald treat upon ony thing tuiching hir eſtait, or the weill of hir cauſis, the ſamin ſould be willinglie heird be hir Majeſtie, and hir counſal, in the quhilk ſum opening

" and ouverture had bene maid in general; and wald be " glad to heir mair ſpecial articlis proponit, quhen it ſall " ſeme guid to hir and hir counſal ſo to do."

III. Thay deſirit it ſould be permittit to twa or thré of hir Commiſſionaris, ſic as will pleis hir Majeſtie to nominat, to remane with hir Grace, for thair counſal and advice, in hir cauſis, and to change thame, and ſend for utheris, as occaſioun ſould ſerve.

To the quhilk it was anſwerit be the Quene's Majeſtie, " That the deſire was very reſſounabill, and hir Hienes ac- " cordit thairto, and willit the Quene of *Scotland*, hir guid " ſiſter, to certifie hir quhom ſcho wald retain with hir to " that effect; and quhen ſcho pleiſit to ſend for utheris, " thay ſall have ſaulf conduct to that effect."

IV. Seing it was hir Majeſtie's pleaſour, that the Quene, thair Maiſtres, ſould remane within this realme, it appeirit that, be hir abſence, hir faithful and obedient ſubjectis wald be troublit and perſecutit be the uſurparis of hir auctoritie; thairfoir deſyrit hir Majeſtie to give hir princelie and favorabill maintenance to thame; and that ordour might be tane for thair quyetneſs.

To the quhilk hir Majeſtie anſwerit, " Scho could not do " ſo; bot leſt thame in the ſamin conditioun and eſtait " ſcho fand thame into, in reſpect that the cauſis of the " Quene, hir guid ſiſter, wer not zit finally endit."

V. Albeit the Quene's Majeſtie of this realme beiris heir the ordinare charges of the Quene of *Scotland*, thair Maiſtres, zit, for hir extraordinary neceſſaries ſum fowmis of money ar requirit; and hir Hienes getting nathing furth of *Scotland*, and, be reſſoun of the troubillis in *France*, is not weill anſwerit of hir dowrie; thay deſyrit, that, be hir Majeſtie's gude moyen, ſcho micht have ſumquhat of hir revenues and patrimonie of *Scotland*, extending to twa or thré hundreth pundis *Sterling* monethly, for defraying hir extraordinary charges.

To the quhilk it was anſwerit be hir Majeſtie, " Scho " wald write effectuouſlie into *Scotland*, to the Erle of

" *Murray*, to cauſe the ſamin to be anſwerit, becauſe the " deſire was very reſſonabill."

VI. Thay deſyrit, That during hir remaining within this realme ſcho ſould not be chargit to do ony thing that wer hurtful or prejudicial to hir eſtait, crown, dignity or honour: And in cais ſcho wer, be ony meanis, menaſſit or circumvenit to do ony ſic thing, we do notify and proteſt, beſoir hir Majeſtie and hir counſal, that nather hir gude and obedient ſubjectis in *Scotland*, nor thay hir Commiſſionaris for the tyme being, here, wald allow nor conſent thairto; and the ſamin ſould not prejudge hir in ony ſort hereafter.

To the quhilk the Quene's Majeſtie anſwerit, " Scho " ſould not be requirit to do ony thing that micht be con- " trare hir eſtait, weill or honour, in ony ſort; for hir " Majeſtie will be maiſt glade to maintain hir honour and e- " ſtait, as being maiſt tender to hir of ony uther in the " warld."

VII. Laſt, Thay deſirit to have ſaulf conduct to paſs into *Scotland*, and be the way to viſit the Quene's Hienes, thair Soverane, to give comptis of thair commiſſioun and charge, during this conference, and ſen thair cuming within the realme, according to thair dewtie.

Quhilk deſyre hir Majeſtie thocht very reſſonabill; and ſwa grantit unto thame ſaulf conduct, in manner abone written; as alſwa to my Lordis *Levingſton* and *Boyd*, uther twa Commiſſionaris, to depart into *Scotland*. And ſwa the Quene's Majeſtie cauſit give thame ane writing to the Quene of *Scotland*, thair Maiſtres, in the quhilk credit was committit unto thame; and pleaſantly demittit thame; and thay ſa tuik thair leive humblie of hir Majeſtie, and hir honorabill counſall, and departit on the morn to *London*, and the nixt day tuik thair journay thairfra the narreſt way to *Tutberry*.

NUMB.

NUMB. CXXXVI.

The ARTICLIS and INSTRUCTIOUNIS committit in credit be our ſoverane Lady the Quene's Majeſtie of Scotland, *to the Lordis Commiſſionaris, hir trew and faithful ſubjectis and Counſallouris,* John *Biſhop of* Roſs, William *Lord* Levingſton, Robert *Lord* Boyd, John *Lord* Herreis, Gavin *Commendatar of* Kilwynning, John Gordon *of* Lochinvar, *and* James Cockburn *of* Striveling, *Knichtis, appointit be hir Hienes, and be the Erlis, Lordis, Biſhoppis, Abbotis and Baronis, hir Majeſtie's faithful, conſtant, and trew ſubjectis within the realme of* Scotland; *to be treatit at the conference to be held in the city of* Zork, *the laſt day of* September *inſtant, or ony uther day or dayis, place or places, within the realme of* Ingland, *in preſence of hir Grace's derreſt ſiſter and couſigne the Quene's Hienes of* Ingland, *or in preſence of ane nobill and michtie Prince* Thomas Duke *of* Northfolk, *Erle* Marſhall *of the realme of* Ingland, Thomas *Erle of* Suſſex, *Viſcount of* Fitzwater, *Lord* Egremont *and* Bornewell, *Preſident of the council of the North, and Sir* Ralph Sadler *Knicht, Chancellour of the dutchy of* Lancaſter, *hir Majeſtie's Counſallouris and Commiſſionaris appointit be hir Grace.*

From Queen *Mary*'s Regiſter.

FIRST, At zour meiting at *Zork*, zou ſall declair to the Duke of *Northfolk*, Erle of *Suſſex*, and Sir *Ralph Sadler*, preſent Commiſſionaris for the Quene's Hienes of *Ingland*, that ze ar cum there in my name, with the advice alſwa of my faithful ſubjectis, ſufficientlie authorizit to the conference appointit be my ſaid guid ſiſter the Quene of *Ingland* and me; and the cauſe of this meiting to be, be reſſoun that at my firſt cuming within this realme of *Ingland*, I ſent unto my ſaid derreſt ſiſter the Quene, our traiſt

and faithful Counſallour my Lord *Herreis*, deſyring of hir Grace, in maiſt freindly manner, to conſider the eſtait of my cauſe, and how grievous it was, not onlie to me, bot alſwa to all uther Princes, to ſuffer ſic practices, that the ſubjectis, at thair pleſour, ſould overſé thameſelfis ſa far, forzetting thair natural and debtful obedience, as to put handis to thair ſoverane and native Prince, quhilk the Erlis of *Murray*, *Mortoun*, and ſindrie utheris thair adherentis, has practiſit aganis my perſoun, doing that lay in thame, not onlie to tak from me my awin authoritie, and government of my realme, bot alſwa intrometting and ſpuilzieing my ſtrengthis, diſponing and waſting my jewellis, movabillis, and haill patrimonie, oppreſſing my faithful ſubjectis be ſlauchter, and impriſoning of thair perſounis, and rifling and ſpuilzieing thair gudis, downcaſting thair houſis, fortalices, and places, to the greit deſtructioun of the policy of my realme, and hurt to the commoun-wealth thairof: And having maiſt ſuir truſt and confidence in my guid ſiſter, and maiſt tender couſigne, the Quene's Hienes of *Ingland*, be reſſoun of proximitie of bluid, and divers promiſis of kindnes paſt of befoir, and affirmit be our familiar writingis and meſſages betwixt us, deſirit effectuouſlie hir Majeſtie to give me ſupport of hir awin guidnes, be the quhilk I micht be reponit in my awin realme of *Scotland*, the auctoritie and government thairof, as I, quha am native juſt Princeſs and Quene thairof, aucht to be, and to cauſe my inobedient ſubjectis recognize thair offences, and thair unnatural dealing with me, rander my ſtrengthis, reſtoir my jewallis and movabillis, and to deſiſt and ceis fra all uſurping of my auctoritie in time cuming, within my realme: Quhilk being done be hir Grace's ſupport and fortificatioun, ſould not tend onlie to my weill and comfort, bot alſwa to hir Hienes's great honour, befoir all uther Princes, and wald oblis me to be mair dett-bund all my dayis unto hir Hienes.

To the quhilkis my deſyris I reſſavit maiſt freindlie and loving anſweris and writingis with the ſaid Lord *Herreis*, quhairby hir Grace, of hir guidneſs, did promiſe to ſupport me,

me, and to repone me in my awin realme, be hir Grace's forces onlie, quhairthrow I misterit not to require ony uther Prince for assistance in my causis, and in hoip thairof, desyrit me ernestlie to desist and ceis fra all suit at the King of *Spain* and uther Princes handis for support: Quhilk desyre I obeyit, putting my haill confidence, nixt God, in hir Grace's promisis.

And hir Grace thinking it to be mair meit, that all my causis sould be set forward be sum gude dreis, rather than be force, hir Hienes desyrit me alswa very ernestlie, to suffer hir a short space to travel with the Erle of *Murray* and his adherentis, (quha had submittit thair haill causis in hir handis) to cause thame repair the wrangis and attemptatis committit aganis me, thair Soverane, and contrair thair alledgeance and dewtie, and to desist and ceis in times cuming, quhairthrow I micht be reponit in my realme, auctoritie and government thairof, but ony impediment, and be hir Hienes's labouris and moyen, rather than be force of armis; desyring alswa, that I wald use hir counsal toward the wrang and offences committit be thame, how the samin sould be repairit to my honour, and my clemencie be usit towardis thame, be hir Grace's sicht: And séing hir Hienes of sa guid mind towardis me, I willinglie condescendit unto hir Grace's desyris, willing to use hir Majestie's counsal towardis my subjectis, without prejudice of my honour, estait, crowne, auctoritie and titill, as maist derrest sister, and tender cousign to hir Hienes.

II. Ze sall produce zour commissioun gevin to zou be us, and excuse us that the samin is under our signet onlie, and subscriptioun, be ressoun that our greit seill, as weill as uther jewallis, are with-haldin fra us; bot the samin sall be ratifyit, approvit and reformit as neid beis, till it be sufficient: And gif thay produce thair commissioun, ze sall get the copie thairof.

III. Or ze enter in ony conference, ze sall protest, that albeit I be best contentit that the causis presentlie in difference betwix me and my disobedient subjectis be considerit, and dressit

dreſſit be my derreſt ſiſter and couſigne the Quene's Majeſtie of *Ingland*, or hir Grace's Commiſſionaris, auctorizit thairto, befoir all utheris, that thairby I intend on na wayis to recognoſce myſelf to be ſubject to ony Judge on zeird, in reſpect I am ane fré Princeſs, having imperial crowne gevin me of God, and acknawledges na uther ſuperiour; and thairfoir that I, nor my poſteritie, be in na wayis prejudgit heirby.

IV. Ze ſall ſchaw, in my name, to the Duke's Grace of *Northfolk*, and the reſt of the Lordis Commiſſionaris of the Quene's Hienes of *Ingland*, our derreſt ſiſter and couſigne, That * *James* Erle of *Mortoun*, *Johne* Erle of *Mar*, *Alexander* Erle of *Glencairne*, the Lordis *Hume*, *Lindeſay*, *Ruthven*, *Sempill*, *Cathcart*, *Uchiltrie*, with utheris thair aſſiſtantis, aſſemblit in armis ane greit part of our ſubjectis, declaring be thair proclamatiounis it was for our releif, umbeſet the gait in our paſſage betwix our caſtellis of *Dumbar* and *Edinburgh*, and tuik our perſoun, committit us in ward within our awin place of *Lochlevin*, and efter intromettit with our cuinzie-houſe, preſſing-irnis, gold and ſilver, cuinzeit and uncuinzeit, paſſit to the caſtel of *Striveling*, and maid thair faſhioun of crowning of our ſone, the Prince, then but xiij. monethis auld. *James* Erle of *Murray* tuik upon him the name of Regent, uſurpand thairby the ſupreme auctoritie of our realme, in the name of that infant, intromettit with the haill ſtrengthis of our realme, jewallis, munitioun, and patrimonie of our crowne, als weill propertie as caſualtie: And quhen it pleiſit God, of his greit mercie, to releive us out of that ſtrait thraldome, quhair we wer detenit elevin monethis ſa hardlie, that nane of our trew ſubjectis micht have fré acceſs to beſpeik us; thairefter in *Hamiltoun* we maid opin declaratioun, that our former conſtranit writingis in priſoun wer altogidder aganis our will, and done for feir of our lyfe, affirmit the ſamin be our ſolemn aith. Zit for the godlie zeal and natural affectioun we buir to

* *Vid.* Numb. xli.

to our native realme, and ſubjectis, gave powar to the Erlis of *Argile*, *Eglintoun*, *Caſſillis*, and *Rothes*, to agré and confirm a pacificatioun with the uther Erlis, and thair partakeris; and paſſing to *Dumbartan* left the hie-way, for avoiding of troubill: The ſaid Erlis of *Murray*, *Mortoun*, *Glencairn*, and *Mar*, with thair adherentis and partakeris, umbeſet the way, and be thair men of weir, quhilk thay had wagit with our awin ſilver, overthrew our powar, ſlew ſindrie richt honeſt and trew men, tuik utheris priſoneris, and ranſomit thame; condemnit to the deith, under colour of thair pretendit lawis, greit landitBaronis and gentilmen, for na uther cauſe bot for ſerving of us, thair native Soverane. Thir thair unreſſonabill and undewtiful proceidingis cauſit us cum in this realme, to require the Quene's Majeſtie, our maiſt derreſt ſiſter, and in blude narreſt couſigne in the warld, (our promiſis of luif, freindſhip, and aſſiſtance ſa effectuouſlie affirmit) favouris and ſupport, that we may enjoy peciabillie our awin realme, according to God's calling, and that our inobedient ſubjectis may be cauſit recognoſce thair debtful obedience, reform to us and our obedient ſubjectis the wrangis thay have done, as ſall be gevin in ſpecial, that ze and thay may live under us in zour calling as gude ſubjectis, under that heid that God has appointit zow; quhilk in our name ze ſall deſyre.

And zit at the ingiving of the ſaid complaint ze ſall declair, That notwithſtanding I am willing to cauſe the Quene's Hieneſs of *Ingland* to underſtand the evil behaviour of my ſubjectis towardis me, zit I will not ſubmit my eſtait, crowne, auctoritie nor titillis, to ony Prince or Judge on zeird; bot is content to uſe the Quene of *Ingland*'s counſal towardis my ſubjectis, for the offences committit be thame in extending my clemencie towardis thame allanerlie.

V. How ſone ony thing beis anſwerit be my diſobedient ſubjectis to the complaintis foirſaidis, ze ſall deſyre the ſamin to be gevin in writ, to the effect ze may adviſe thairon with myſelf, or ze anſwer thairto, I being ſa concernit, ſpe-

ſpeciallie gif the ſamin tuichis my honour, quhilk I eſteme mair tender nor my lyfe, crown, auctoritie, or ony uther thing on zeird.

And gif thay preſs zou for anſwer, and thair alledgance beiring ony thing ſpeciallie, quhilk may appeir to alledge me culpabill of my husband's deith, or demiſſioun of my crown and auctoritie; under proteſtatioun foirſaid, ze ſall anſwer, That I lament mair heichlie the tragedie of my husband's deith, nor ony uther of my ſubjectis can do: And gif thay had ſufferit, and that I had bene permittit to uſe my auctoritie, untroublit be my ſubjectis, I had puniſht the committaris thairof as apperteinit: Likeas I am zit willing to do the ſamin as law and juſtice will require.

And ze ſall affirm ſuirly, in my name, That I had never knawledge, art nor part thairof, nor nane of my ſubjectis did declair unto me, befoir my taking and impriſounment, that thay quha ar now haldin culpabill, and principal executouris thairof, wer the principal auctoris and committaris of the ſamin: Quhilk gif thay had done, aſſuritlie I wald not have proceidit as I did ſa far; ſuppois I did nathing thairintill bot be the advice of the nobilitie of the realme.

VI. Gif thay alledge, that my marriage with the Erle of *Bothwell* will be ony preſumptioun aganis me, ze ſall anſwer, That I never condeſcendit thairto, unto the time the greiteſt part of the nobilitie had cleinſit him be ane aſſiſe, and the ſamin ratifyit in parliament, and thay had gevin thair plain conſent unto him for my marriage, and ſollicited and perſwadit me thairto, as thair hand-writing, quhilk was ſchawin to me, will teſtifie.

VII. In cais thay alledge thay have ony writingis of mine, quhilk may infer preſumptioun aganis me in that cauſe, ze ſall deſyre the principallis to be producit, and that I myſelf may have inſpectioun thairof, and mak anſwer thairto. For ze ſall affirm, in my name, I never writ ony thing concerning that matter to ony creature: And gif ony ſic writingis be, thay ar falſe and feinzeit, forgit and inventit be thameſelfis, onlie to my diſhonour and ſclander: And

thair

thair ar divers in *Scotland*, baith men and women, that can counterfeit my hand-writing, and write the like maner of writing quhilk I uſe, as weill as myſelf, and principallie ſic as ar in cumpanie with thameſelfis *. And I doubt not, gif I had remanit in my awin realme, bot I wald have gottin knawledge of the inventaris and writeris of ſic writingis or now, to the declaratioun of my innocencie, and confuſioun of thair falſet.

VIII. In caſe the Erle of *Lennox*, or ony of his name, propone ony thing contrair me, ze ſall advertiſe of the ſamin, quhairthrow I may cauſe zou mak anſwer thairto: And in the mene time, ze ſall declair his unthankfulneſs towardis me, quha have bene ſa beneficial to him and his, and thairfoir will not ſpair to declair, for his ingratitude, that thing may tend to his diſadvantage, as ſall be gevin in particularlie.

IX. In cais thay propone ony thing concerning thair actis of parliament, alledging that thay have ſet a parliament, and thairin that the eſtatis fand thair proceidingis gude contrair me; ze ſall anſwer, That the ſamin cannot prejudge me in na ſort, becauſe thay had na lauchful powar to hald the ſamin; and I, being thair lauchful Prince, and thay bot my ſubjectis, I cannot be judgit be thame, for thay aucht to obey. And gif I had bene a private perſoun, I ſould have bene callit, or at leiſt preſentit in judgment, and heird, utherwayis na ſic proceſs can have place: And it is alſwa veritie, that after my taking in *Edinburgh*, I ſent the Secretary *Lethingtoun* to thair counſal, deſiring thame that the eſtaitis of the haill realme micht be convenit, and in thair preſence to abyde and underlye thair judgment, for ony thing micht be laid to my charge, I being firſt preſentit beſoir thame.

* The Queen means Sir *William Maitland* of *Lethington*, her Secretary, whom ſhe knew to have uſed this intolerable liberty ſometimes, but was unwilling to accuſe him by name, as he and *Murray* were then at ſome variance; for which reaſon he now favoured her cauſe.

X. In cais thay alledge, that I have dimittit my crown, and the ſamin is ratifyit in parliament, to that ze ſall anſwer, That the place and dait contenit in the ſaid alledgit dimiſſioun declaris the ſamin to be maid I being in priſoun, and ſwa be the law is of nane avail, albeit I had not bene compellit thairto, as was verifyit and declarit be *Robert Melvil* the time of my being in *Hamiltoun*, eſter I eſcapit furth of ward, quha affirmit ſolemnlie, that he came to me to *Lochlevin*, immediatlie befoir the alledgit dimiſſioun, ſent direct furth of *Edinburgh* be the Erle of *Athole*, the Secretar, and utheris partakeris in that cauſe, and advertiſit me, that it wald be laid to my charge to renounce my crowne; and, if I obeyit not the ſamin, I wald be put ſhortlie to deith. Thairfoir thair counſal was expreſſlie, to obey the ſaid deſyre, for my ſaiftie, alledging alſwa that the ſamin wald do na hurt afterwardis to my richt, and heirfoir, but doubt, I had juſt cauſe of feir. Sicklyke, Sir *Nicholas Throgmorton*, being Ambaſſadour for the Quene of *Ingland*, and then remaning in *Scotland*, ſent me the ſamin counſal in write, quhilk I obeyit. Nottheles, how ſone as I was releivit, I revokit the ſaid alledgit dimiſſioun, in preſence of the Nobilitie, and maid faith I was compellit thairto upon feir of my lyfe, as ſaid is.

And as to the ratificatioun thairof in parliament be the eſtaitis, the ſamin proceidit upon a wrangous ground, quhilk was compulſioun in me to renounce my crown afoirſaid: Lykeas, ſindrie of the Lordis maid reſſounis upon the articlis zit unreſolvit. Notwithſtanding of the quhilk, it was concludit on thair manner the ſamin to be ratifyit. And ſindrie of the principallis of the Nobilmen, ſic as the Erlis of *Huntlie*, *Argile*, and the Lord *Herreis* in ſpecial, at that time tuik inſtrumentis, that thay conſentit not to the dimiſſioun, bot in ſa far as it ſtude with my fré will, and gif I wald abide at the ſamin afterwardis, and not utherwayis; and in cais at ony time thairefter it wer fund, that I was compellit, or did the ſamin upon juſt feir, that thay ſould be fré of thair conſent, as gif the ſamin had never bene gevin;

gevin; and all that ſollowit thairupon to be null; albeit my conſent was affirmit be ſindrie there preſent, with mony ſolemn aithis of ſum Lordis, and inſtrumentis of Notaris, declaring the ſamin, ſuppois the contrair be of veritie, quhilk ſall be verifyit be inſtrumentis taken in thair parliament, or ſingular battel, as thay pleis.

And attour, this alledgit renunciatioun was bot privatlie maid, and as privatly admittit be ane few number, of thame onlie quha put handis to me, and not in ane parliament: And alſwa the Prince, thair alledgit King, was crownit be the ſamin number, and the Regent in thair manner admittit; and ſwa all that followit thairupon can have na place.

And gif my awin ſubjectis will behave thameſelfis humblie, in ſic ſort, that thay will onlie deſyre the Quene's Hienes of *Ingland* to get thame ane remit at my handis, I will uſe the Quene my guid ſiſter's advice and counſal in taking ordour with thame for thair offences bygane, and extending of my clemencie towardis thame.

Alwayis ze ſall aſſure, I will never appreive ony of thair proceidingis in thair twa pretendit parliamentis, or ſen the firſt tyme thay put handis on my perſoun at the *Falſide*. And gif I wald aggré to ratifie or admit of the ſamin, it ſould wreck me and my faithful ſubjectis, and I never to cum furth of ſic troubillis as ſould follow thairupon in ſindrie ſortis; for in that cais, I wald ratifie, appreive and admit of my awin taking, and putting in priſoun, the overgeving of my crown and auctoritie, the murthour of my husband, and never to cum to my crowne quhill my ſone be of xxj. zeiris of age, and then to be in his will; and the Lordis that tak part with me, to be tratouris, and to be juſtlie forfaltit; the diſcharge of all my geir, jewallis, rentis, and livingis; and alſwa to mak thame Judges, to ſit and accuſe me of my life, and divers uther inconvenienientis.

Quhen ony uther articlis beis proponit in name of the Quene's Hienes of *Ingland*, concerning the weill of baith the realmis, peace, amitie and concord to be enterteinit betwix thame, or concerning the Quene of *Ingland*'s particu-

lar affairis, ze ſall deſyre thame all to be gevin in write togidder, that ze may adviſe with me thairupon, and give anſwer thairto, and ſpeciallie upon ſic thingis as has bene proponit to my Lord *Herreis*, at his laſt being with the Quene's Majeſtie at *London*. And ze ſall aſſure, in my name, that I will condiſcend be the advice of the eſtaitis of my realme, unto all that may ſtand to the honour and glory of God, maintaining of tranquillitie, peace, amitie, and mutual concord betwix thame twa realmis, and the commoun gude thairof; provyding that I be reſtorit and reponit frélie unto my awin realme, and to all princelie honour and government of the ſamin, in ſic wayis, that the lawis thairof be obſervit and keipit, the libertie thairof maintenit, and our ancient freindſhip and amitie with our auld freindis and confederatis, ſa far as may ſtand with our honour, unviolatit.

Bot or ze enter in reſſouning heirupon, it ſall be guid to the Quene's Hienes of *Ingland* to end the contraverſie ſtanding betwix me and my ſubjectis, quhairthrow I may be recognoſcit ane fré Princeſs, and Quene of my awin realme, having powar to aggré and contract upon ſic thingis as may ſtand with the weill of baith our realmis and countries, quhilk mon neceſſarlie require the conſent of the eſtaitis of my realme, quha will mair eaſilie conſent and accord thairto, knawing me to be thair Princeſs, but ony contraverſie or repugnance, rather than quhen thay knew ony matter to ſtand in queſtioun and doubt, and repugnance maid be certane diſobedient ſubjectis, and na ordour to be put thairto.

Quhair it was deſyrit, that the religioun as it preſentlie is in *Ingland*, ſould be eſtabliſht and uſit in my realme, it is to be anſwerit be zou, that albeit I have bene inſtructit and nouriſhit in that religioun quhilk hath ſtand lang time within my realme, and bene obſervit be my predeceſſouris, callit the auld religioun, zit nevertheleſs I will uſe the counſal of my derreſt ſiſter, the Quene's Majeſtie of *Ingland*, thairanent, be the advice of my eſtaitis in parliament, and labour

that

that is in me to cauſe the famin have place throuch all my realme, as it is proponit, to the glory of God, and uniformity of religioun in time cuming.

Quhair it is deſyrit, that thair micht be a mutual band of freindſhip betwix the realmis of *Ingland* and *Scotland*, perpetuallie to remane, ze ſall anſwer, That thair is nathing on zeird that I deſyre mair erneſtlie than to ſtand in amitie, love and freindſhip, with the Quene's Majeſtie of *Ingland*, and all the ſubjectis thairof, and to keip mutual ſocietie, peace and tranquillitie betwix us; becauſe I am hir maiſt tender ſiſter, and couſigne to hir Majeſtie, and deſcendit laitlie of the ancient and principal bluid of hir realme. And gif hir Grace will reſpect me ſwa as to place me in ſic honouris as proximitie of blude requiris, then will I, be the advice of the eſtaitis of my realme, prefer the freindſhip of hir Hienes, and hir realme, to all uther Princes and confederatis. And ſuppois the Quene's Hienes of *Ingland* be not preſentlie movit to advance me thairuntill, zit will I leive nathing undone, be the advice of my eſtaitis foirſaidis, that may ſtand with my honour, to contract with hir Grace, for enterteining of perpetual amitie and freindſhip betwix us and our twa realmis, in time cuming, and ſall, at my arriving within my awin realme, convene ane parliament of the eſtaitis for that and uther cauſis, quhilk I underſtand to be for the commoun weill of baith our realmis.

As to the committaris of the ſlauchter of my lait huſband, ze ſall condiſcend, in my name, that the executouris thairof be puniſht thairfoir, according to law and reſſoun.

And in cais ony thing be proponit concerning my intereſt to the crowne of *Ingland*, ze ſall declair and aſſure in my name, that I have greiter confidence in hir Hienes's luif, freindſhip and kindneſs, nor in ony uther Prince on zeird, and thairfoir hes not done, nor will do ony thing in time cuming, that may offend hir Grace in ony ſort, hir Hienes uſing me as hir maiſt tender ſiſter and couſigne at this preſent, and doing that thing which may ſtand to my honour,

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in reſtoring of me to my awin realme, auctoritie and government thairof, and making me to be obeyit, and my unnatural and diſobedient ſubjectis to recognoſce thair dewtie, as I doubt not bot hir Grace will do. Thairfoir ze may aſſure, in my name, that I will not troubill hir Hienes, nor the lauchful ſucceſſioun of hir body, provyding alwayis that I be nocht prejudgit of that place and titill, quhilk God, proximitie of bluid, and all lawis, has placit me into, efter hir Hienes and hir ſucceſſioun.

Thir ar the principal heidis and articlis quhilkis I have given unto zou preſentlie, as ane breif informatioun in my affairis, quhilkis ze ſall uſe be zour awin wiſdomis, judgment and diſcretioun. And in cais ony difficulties ariſe heirupon, or ony point thairof, or ony new thing to be proponit, ze ſall tak ſum time to be adviſit with me thairupon, and we may give the more reſolute anſwer thairto, for my honour, and weill of my cauſis; quhilkis I commit all haill in zour handis, as in my maiſt faithful Counſallouris and Commiſſionaris, quhais counſal I will uſe, fulfill, ſet forward, and abyde at, in all the foirſaid cauſis, as I will anſwer upon my princelie honour, quhilk ſall be to you ſufficient warrant. In witneſs of the quhilkis I have ſubſcrivit thir preſentis, articlis and inſtructiounis, with my hand, and hes affixt my ſignet thairto, at *Bowton* the penult day of *September*, in the zeir of God MDLXVIII. zeiris.

MARIE R.

NUMB.

NUMB. CXXXVII. *Ibid.*

ARTICLIS and INSTRUCTIOUNIS committit in credit to our traist couſignis and Counſallouris John *Biſhop of* Roſs, John *Lord* Herries, Gavin *Commendatar of* Kilwynning, *our Commiſſionaris appointit be us to paſs towardis our derreſt ſiſter the Quene of* Ingland.

1. ZE ſall give hearty thankis to our ſaid derreſt ſiſter, for the greit care and ſolliciting ſcho takis upon our affairis, being thir times paſt troublit be certane our diſobedient ſubjectis, tending to put the ſamin to our quietneſs, quhairthrow we may enjoy peciabillie our awin realme, and all our ſubjectis to recognoſce and do thair natural and debtful obedience unto us thair Soverane, and, be our derreſt ſiſter's gude labour and dreſs, to be maid, rather nor be force of armis. Quhairthrow, in ſwa doing, we acknawledge hir to beir ane tender luif and affectioun towardis us, quhilk we ſall be reddie to requit at all tymes, with ſic amitie, freindſhip, and kindnes, as we may at our powar; not doubting of the continuance of hir guid mind, till final end be put thairto, for our honour, weill, and quietneſs of our realme, and the ſubjectis thairof; quhilk ze ſall pray hir in our name to expede for our cauſe, quha is not onlie joinit with hir in proximitie of blude, bot lipning maiſt in hir guidnes, has abandonit ourſelf fra all uther Princes and freindis, and caſtin us in hir handis, and hoipis thairthrow for ane guid end and reſolutioun in all my affairis.

Item, Ze ſall declair, zou are cum there be my command, at the deſire of the Quene my guid ſiſter, declarit to zou be hir Commiſſionaris at *Zork*, thay being advertiſit to that effect, and thairfoir deſyris to knaw hir will and pleſour: And gif ony thing beis proponit to zou quhilk alreddie has bene treatit at *Zork*, concerning my inobedient ſubjectis, and thair cauſis, ze ſall anſwer, ze have alreddy proponit and

and desyrit, be form of complaint in my name, and ressavit answer thairto; to the quhilk alswa ze have answerit in form of reply. And thairfoir ze sall desyre my guid sister, the Quene, to consider the proceidingis and alledgeances of my subjectis, be the quhilk it may cleirlie appeir unto hir quhat frivole causis thay have alledgit contrair me; in special, that I willinglie dimittit my crowne. And it may be cleirlie understuid, gif thay had had better defences, thay had bene proponit at the first.

Item, In cais my disobedient subjectis will propone ony new thing, quhilk has not bene befoir alledgit be thair answeris, ze sall declair, that ze are not resolute, nor sufficientlie instructit to answer thairto, be ressoun ze are not advertisit, quhairthrow ze micht have conferrit with me thairupon, as ze have done at all times on the rest sen the beginning of this conference. Zit nottheles, gif there be sic heidis as is contenit in zour former instructiounis gevin to zou be me, to be treatit at *Zork*, ze sall answer thairto in all pointis, as is contenit in the said instructiounis, to the quhilk sufficient informatioun I refer.

Item, In cais ony thing beis proponit concerning the marriage of the Erle *Bothwell*, and unlauchfulnes thairof, ze sall answer, that we are content that the lawis be usit for separatioun thairof, sa far as the samin will permit.

Item, Anent the punishment of the slauchter of my lait husband, the executouris thairof to be punisht according to law and ressoun.

Item, Gif ony thing be spokin anent the band of *France*, ze sall advise with us or ze give ony resolute answer thairintill, and propone the inconvenientis may follow thairthrow, sic as the refusal of my dowrie, the breking of the men of armis and guard in *France*, and the tinsel of the munitiounis in *France*, in cais we be invadit be sum enemies. Zit nottheles we will leif nathing undone may stand with our honour, and weill of our countrie, for contracting with *Ingland* for the weill of baith our realmis, be the advice of the estaitis

eſtaitis thairof, and thairupon contract and indent, ſa far as may ſtand with reſſoun and the commoun weill.

Item, As to the religioun, ze ſall do thairintill according as I have gevin zou inſtructioun in the uther articlis.

Thir are the principal heidis quhilkis we do preſentlie remember; and gif ony utheris be proponit that are of weicht and conſequence, ze ſall adverteis us thairof, that ze may have our reſolutioun thairintill. And quhat ze condeſcend unto, we promit, in the word of a Princeſs, to abyde thairat, ratifie and appreive the ſamin, be thir preſentis, ſubſcryvit with our hand, at *Bewton* the xxi. day of *October*, MDLXVIII.

MARIE R.

NUMB. CXXXVIII. *Ibid.*

Ane commiſſioun ſent be the Lordis of the Nobilitie of the Quene's Majeſtie of Scotland's *true ſubjectis, to concur with hir Majeſtie's affairis in* Ingland, *as the tenour beiris.*

FORSAMEIKLEAS it pleiſit our ſoverane Ladie the Quene's Majeſtie of *Scotland*, now preſentlie making reſidence within the realme of *Ingland*, to require the Nobilitie, Erlis, Lordis, and ſpecial Baronis of hir Hienes's realme, to elect and choiſe certane nobill, wiſe, and expert men, to paſs and repair towardis hir Grace within *Ingland*, and there to aſſiſt and concur with hir Majeſtie in ſic affairis as ar to be treatit there, concerning the glory of God, the honour and weill of our ſoverane Lady, the commoun weill of the realme, with the tranquillitie and concord univerſal of baith the realmis, quhilk we erneſtlie wiſh. And thairfoir, and for ſatisfying our ſoverane Lady's deſire, as obedient ſubjectis unto hir Grace, we quhais namis ar underwritten, have electit and choſen, nobill, wiſe and expert men, ane reverend father in God, *John* Biſhop of *Roſs*,

Robert Lord *Boyd*, *John* Lord *Herreis*, *John Gordon* of *Lochinvar*, Knycht, *William* Lord *Levingſtoun*, *Gavin* Commendatar of *Kilwynning*, *James Cockburn* of *Skirling*, Knicht, quhom we have nominate, conſtitute and ordanit, likeas be thir preſentis we nominate, conſtitute and ordain Commiſſionaris for us, and everie ane of us, to preſent thameſelfis there, and to ſupplie our place; geving thame our full powar to paſs into the realme of *Ingland*, quhair it will pleiſe our ſoverane Lady, quhatſumever day or dayis, place or places, as hir Hienes ſall appoint; and there to conſult and adviſe with hir Grace, upon ſic thingis as are to be treatit; and thaireſter, be hir Majeſtie's adviſement, deliberatioun, or command, to paſs to the Quene's Hienes of *Ingland*, or ony uther Lordis being within that realme, in the town of *Richmond*, or ony uther place appointit; and thair to propound all thingis that ſall be thocht guid be our Soverane and thame, quhilk may ſtand to the glory of God, the honour, releif, and advancement of our ſoverane Lady, hir princelie honour and dignitie; repairing of all wrangis and attemptatis committit aganis hir Hienes, and reponing hir Grace into hir awin realme, auctoritie and government thairof, and to reſſoun thairupon; and in cais ony objectiounis beis maid, to mak anſwer and defence thairto. And ſiclyke, to entreat upon ſic thingis as concern the commoun-weill of baith realmis, peace, unity, concord, and mutual ſocietie, to be entertainit betwix thame; and to that effect, to confer with the Quene's Majeſtie of *Ingland*, hir Lordis, or ony utheris appointit thairto; and to aggré and condeſcend upon certane heidis and articlis, conclude and determine thairintill, contract, appoint, and mak indentouris, in maiſt ſicker form, thairupon: And generallie, to do all manner of thingis quhilk we micht do ourſelfis, gif we wer preſent with our ſoverane Lady in proper perſoun, to the effect ſoirſaid. Quhilk being done be our ſoverane Lady, with the advice of the ſaidis Lordis Commiſſionaris, we promit faithfullie, upon our honouris, to hald firm and ſtabill, ratifie, appreive, fulfill, and ſet forwart the

ſamin,

ſamin, at our powar, in all punctis, be our lives, landis, gudis and poſſeſſiounis, as we will anſwer upon our alledgeance and dewtie to our ſoverane Lady, and under the pane of perjurie and infamie, and never to be repute worthie to bruik honour, office or heritage, gif we cum in the contrare. In witneſs of the quhilkis, we have ſubſcryvit thir preſentis with our handis, and has affixit the ſeillis of certain, ſic as preſentlie may be had, thairto. At *Dunbartan*, the xij. day of *September*, MDLXVIII.

JOHN *Archbiſhop of* St. Andrews.
HUGH *Erle of* Eglinton.
JOHN *Lord* Fleming.
SANQUHAR.
JAMES *Lord* Ogilvie.
THOMAS *Commendatar of* Glenluce.
GEORGE *Erle of* Huntlie.
ARGYLÆ.
GILBERT *Erle of* Caſſilis.
DAVID *Erle of* Crawfurd.
JOHN *Lord* Maxwell.
LAURENCE *Lord* Oliphant.
DAVID *Lord* Drummond.
ROSSE.
SOMMERVILLE.
ZESTER.

NUMB. CXXXIX. *Ibid.*

INSTRUCTIOUNIS and ARTICLIS to be adviſit upon, and aggreit, ſa far as the Quene's Majeſtie, our Soverane, ſall think expedient, at the meiting of the Lordis in Ingland, *committit in credit be the Nobilmen, Erlis, Lordis, Biſhoppis, Abbottis, Baroñis, and utheris, hir Grace's trew faythful ſubjectis of the realme of* Scotland, *ſic as;*

The Erlis of Huntlie, Argile, Crawfurd, Eglinton, Caſſilis, Rothes, Errol:

Lordis, Ogilvie, Fleming, Sommerville, Boyd, Levingſton, Sanquhar, Zeſter, Herreis, Oliphant, Drummond, Salton, Maxwell:

Biſhoppis, Sainct-Androis, Dunkeld, Aberdene, Roſs, Galloway, Brechin, Argile, Iſlis:

Abbotis, Jedburgh, Kinloſs, St. Colme, Glenluce, Fern, New-Abbay, Haly-wood, Lyndoris:

To nobill, wiſe and expert men, ane Reverend Father in God, John *Biſhop of* Roſs, Robert *Lord* Boyd, William *Lord* Livingſton, John *Lord* Herreis, John Gordon *of* Lochinvar, *Knycht, Commiſſionaris electit and choſin thairto.*

FIRST, To declair, that the Nobilmen of this realme, true and faythful ſubjectis to thair Soverane, lament heichlie the pretence of certane particular perſounis within the ſamin, quha, being onlie movit with ambitioun, and unquiet ſpirits, have, contrare all reſſoun, lawis, and gude ordour, uſurpit the auctoritie, impreſounit our Soverane, and done that thing that lyis in thame, that hir Grace's auctoritie and powar to reign ſould ceis within this realme, to the evill exampill of all uther Princes. And zit thay quha have interpryſit the ſamin are not in nomber the ſixth part

part of the nobilitie, nor of the pepill of the realme: And there ar ſix or ſevin Erlis quha have voit in parliament beſoir ony of thame quha have uſurpit this place, ſuppois with ſic treſſounabill and deceitful moyenis thay have obtenit the ſtrengthis of the countrie, be greit buddis and rewardis gevin to tratouris, keiparis thairof; to deceive thair native Princeſs and maiſtres, and rander hir Grace's ſtrengthis and jewallis in thair handis: Quhilk has bene the occaſioun that the pepill adjacent thairabout was maid obedient in ane manner to thame, and in ſpecial the burroughis. Swa that the Prince being haldin in captivitie, in ſtrait preſoun, in *Loughlevin*, quhilk could not be win, in reſpect of the ſtrength and ſituatioun thairof, and als that thay had the haill munitioun put in thair handis be ſic buddis and treſſounabill deceit, as is knawin; and in cais the Nobilmen, favouraris of hir Majeſtie, had raiſit ane armie to that effect, it was menaſit and boiſtit, That thay ſould ſend hir heid to thame; likeas hir deid was oft-times pronuncit, concludit and ſubſcryvit be ane gryt part of hir takeris. And, for ſaulftie of hir Hienes's lyfe, hir Majeſtie's favouraris ceiſſit to put thamefelfis in armour aganis thame, and conteinit the countrie in ſum quietneſs, zit not without greit greif of conſcience, quhill God of his ſpecial providence releivit hir Grace out of ſic ſtrait preſoun. Incontinent efter hir Hienes's releif, all the maiſt part of the Nobilmen, and haill pepill, aſſiſtit to hir Grace; and ſa mony as wer upon ſa ſchort knawledge convenit, with fré heart aventurit and wairit thamefelfis in hir Grace's quarrel, quhill it chancit hir be battell to be invadit be the ſaidis uſurparis, quha ſtoppit hir paſſage to *Dumbartan*, quhair hir Majeſtie was bund, for ſaiftie of hir lyfe allanerlie, to the time that the haill force of hir Grace's favouraris micht have bene convenit. Quhairthrow hir Majeſtie was conſtranit to ſeik for releif at the Quene's Hienes of *Ingland*'s handis. And thairfoir all hir Grace's trew and faythful ſubjectis of this realme deſyris effectuouſlie the Quene's Majeſtie of *Ingland* to have regard unto hir Grace's cauſe, and proceidingis thairof, and

that

that of hir princelie powar ſcho wald reſtoir our Soverane in hir awin realme, with hir Hienes's ſupport. And likeas, the ſamin tendis not onlie to the prejudice of our Soverane allanerlie, bot to all Princes, to be oppreſſit be thair ſubjectis, ſwa it wald pleis hir Hienes to regard the ſamin; quhilk gif hir Grace dois, it will procure the heartie luif of all trew *Scottiſmen*; utherwayis it may be prejudicial to hir Hienes, and all Princes, to ſuffer ſic inconvenientis to cum in practice. And als, to require all ſtrengthis to be randerit to the Quene's Majeſtie, and awneris thairof, with all jewallis, munitioun, re-apparelling thairof, and fré deliverıng of the Nobilmen quha are haldin and detenit in captivitie be the Erle of *Murray*, and thair complices, to be diſchargit, and gudis and geir reſtorit quhilkis has bene taken from thame, and that thay deſiſt fra uſurping of all auctoritie in time to cum, and ſecuritie to be maid thairupon.

II. It is to be diligentlie adviſit, in cais our Soverane be adviſit to underlie the judgment of the Quene of *Ingland*, and to have the difference betwix hir Grace and hir ſubjectis tryit, admittand the Quene of *Ingland* as Judge: It is to be reſſounit with our Soverane, That the ſamin appeireth to be very hurtful and prejudicial to hir Hienes, becauſe hir Grace, beiṅg ane fré Prince, having imperial crown, thairfoir is ſubject to na uther Prince on zeird, nor can nocht be judgit be thame; and thairfoir, be order of tryal and judgment, hir Grace's cauſis ar not to be ſubmittit on that manner. Zit nottheles, in reſpect of hir Hienes's honeſt, juſt, and richteous cauſe, and of hir guid and clene conſcience in all proceidingis, we are aſſurit hir Grace will not refuis, in preſence of greit Princes, to declair hir honorabill part in all thir cauſis inventit calumniouſlie aganis hir Grace; provyding alwayis thay be not admittit Judges to hir Hienes; not for feir of ony decreit may be gevin aganis hir Majeſtie, bot onlie of the prejudice may be ingenderit to all uther Princes in tyme cuming, throw ſic practick, gif it cum in uſe. Bot in cais it be our Soverane's pleſour

to

to have the cauſe reſſounit in preſence of the Quene of *Ingland*, or ony hir Grace's Commiſſionaris appointit thairto, ze ſall uſe thir reſſounis, anſweris and defenſis, to be reformit, eikit, or changit alwayis be our Soverane's advice, as followis.

III. Gif the ſubjectis uſurparis of our Soverane's auctoritie will alledge and object, for colour and defence of thair wickit and unjuſt proceidingis, that thair enterpryſe was upon the juſt deſerving of our Soverane, be reſſoun of the ſuſpicioun had aganis hir Hienes, for alledgit conſent to the murthour of hir husband; ze ſall anſwer and declair, That thay can pretend na cullour of defence be that way to thair proceidingis; becauſe the haill progreſs of thair uſage in times paſt, continuallie, ſen the Quene's arrival in *Scotland*, has declarit the effect of thair meaning, quhilk principallie was groundit upon twa cauſis; the ane for the furthſetting of the religioun, and the uther for the puniſhment of the murthour of the King; ſuppois it is evident the ſamin has nocht bene thair principal intentioun, bot rather to aſpire to the hieſt place and government of the realme. For it is maiſt ſure, that our Soverane has never menit ony alteratioun of the religioun quhilk hir Grace fand ſtanding at hir firſt arriving, bot has appointit the Miniſteris ſtipendis quhair thay had nane of befoir.

And farther, the Quene's Majeſtie, be advice of the thré eſtatis of hir Grace's realme, ſatisfyit the deſyre of the haill Nobilitie, be ane act of parliament maid concerning all the punctis of the religioun, in the parliament haldin at *Edinburgh* the xv. day of *April*, MDLXVII. as the ſamin proportis at length.

And as to anſwer the uther part, it is to be diligentlie and advyſitlie rememberit and conſiderit, how ſchortly efter our Soverane's hame-cuming fra the realme of *France* in *Scotland*, the Erle of *Murray* having reſpect then, and, as appeiris, zit, be his proceidingis, to place himſelf in the government of this realme, and to uſurp this kingdom, be his counſal cauſit the Quene's Majeſtie become ſwa ſubject unto

unto him as hir Grace had bene ane pupil; in ſic ſort, that hir Hienes's ſubjectis had not acceſs unto hir Grace, to propone thair awin cauſis, or to reſſave anſwer thairof, bot be him onlie; ſwa that he was onlie recognoſcit as Prince, and hir Majeſtie but a ſhadow. And quha preſſit to find fault with his abuſes, he did purſue thame with ſic crueltie, that ſum of the principal men he cauſit put to deid, deſtroying thair bairnis, houſis, and memorie; and cauſit utheris to be baniſhit the realme, and put uther Nobilmen in preſoun, and detenit thame there. And having the principallis thus dejectit of thair places, he proponit to the Quene's Majeſtie to have the crown tailzeit, and himſelf to have the firſt place; quhilk hir Grace plainlie refuſit, alledging ſcho wald not defraud the richteous heirs; and als feirit thairby the wrecking of hirſelf, and ſecluding of hir Grace's ſucceſſioun, in reſpect the deſyrer of the ſaid tailzie wald never conſent ony way that hir Majeſtie ſould marry ony ſic Prince as maid ſuit at hir Hienes thairfoir, cullouring the ſamin upon the alledging of mony inconvenientis that micht follow upon the marriage of greit Princes: Quhilk hir Majeſtie partlie conſiderit to be of truth, and ſwa by the commoun inclinatioun of all Princes, and uther women, quhilk rather deſyris to aſcend nor deſcend, for retaining the realme at libertie, and to be thrallit to na utheris, was content to dedaigne hir Hienes to accept the Lord *Darnly* to hir husband, thinkand thairthrow to obtene greiteſt favouris of all thame of that ſurname. Bot the contrair is knawin, and quhat impediment was maid thairto be the ſaid deſyrer of the ſaid tailzie, quha, be himſelf and his aſſiſtaris conſpirit the ſlauchter of the ſaid Lord *Darnly*, being then appointit to be marryit with hir Grace, and als of his father, and divers uther Nobilmen being in hir Grace's cumpanie and followaris at that time, and ſwa to have impriſounit hir Hienes's ſelf in *Lochlevin*, and detenit hir Grace there all the dayis of hir lyfe, and he to have uſurpit the government. Quhilk conſpiracie was neir put to executioun in the moneth of *June*, 1565, at the kirk of

Baith,

Baith, as mony quha wer in counſal with him, and drawin ignorantlie thairon, can teſtifie. And he ſéing the ſamin revelit, drew ſindrie to his opinioun, under colour of religioun, quha were baniſht with him, and tuik refuge in *Ingland.*

And thairefter, he perſaving that thay could not ſtay the marriage, and als that it pleiſit God that hir Grace was abill to have ſucceſſioun, and ſwa being greit with child, thay inventit the ſlauchter of hir Majeſtie's Secretar, in hir Hienes's preſence, and cruellie performit the ſamin, and held hir maiſt nobill perſoun in priſoun, intendand be that way the deith of hir Majeſtie throuch heich diſpleſour, ſecluding of hir ſucceſſioun, and als of hir ſaid husband, be reſſoun he was ſeducit to conſent thairto. Bot then ſéing that hir Grace, with the pleſour of God, did eſcaip thair handis, and releive hirſelf of priſoun, quhairthrow that the doaris thairof wer baniſhit for thair enterpryſe, and als heiring of the zoung behaviour, throw fulage counſal, of hir ſaid husband, thay cauſit mak offeris to our ſaid ſoverane Lady, gif hir Grace wald give remiſſioun to thame that wer baniſhit at that time, to find cauſis of divorce, outher for conſanguinitie, in reſpect thay alledgit the diſpenſatioun was not publiſhit, or elſe for adulterie; or then to get him convict of treſſoun, becauſe he conſentit to hir Grace's retentioun in ward; or quhat uther wayis to deſpeche him; quhilk altogidder hir Grace refuſit, as is maniſeſtlie knawin. Swa that it may be cleirly conſiderit, and is ane ſufficient preſumptioun in thir reſpectis, hir Grace having the commoditie to find the meanis to be ſeparate, and zit wald not conſent thairto, to appeir, that hir Grace wald never have conſentit to his murthour, havand ſic uther likelie meanis to have bene maid quit of him, be the Lordis own device; bot that it may be inferrit that thay wer the doaris thairof onlie, as was deponit be thame quha ſufferit deid thairfoir; quha declarit at all times the Quene our Soverane to be innocent thairof.

And quhair thay alledge hir Grace is found guiltie thair-

of be act of parliament haldin be thame, it is to be anſwerit, There was nathing done in thair parliament that micht prejudge the Quene's honour in ony ſort, hir Grace never being callit nor accuſit thairof. For quhat was done, it was not to declair hir Grace guiltie of ony crime, quhilk of reſſoun na wayis could be done contrare hir Majeſtie uncallit, bot onlie ane act maid for ſafetie of thameſelfis fra foirfaltour, quha treſſounabillie put handis in hir Majeſtie's nobill perſoun, empriſonit hir Grace, allanerlie found and thair proceidingis upon juſt meaning, as thay alledgit; quhilk ſindrie Nobilmen that was hir Grace's favouraris, then preſent, buir withall, maiſt principallie for ſafety of hir Grace's lyfe, quhilk, or thair cuming to parliament, was concludit and ſubſcryvit be ane greit part of hir takeris, to be taken fra her in maiſt crewel manner, as is notourlie knawin; ſuppois ſindrie of the Nobilmen partakeris with thameſelfis refuſit to ſubſcryve the ſamin, or conſent to hir deid in ony wayis. And in cais ony ſic act had bene maid, the ſamin cannot prejudge hir Majeſtie in ony ſort, in reſpect thay had na lauchful powar to hald parliament. And als it is aganis all lawis and reſſoun to condemn ony creature on lyfe, quhill thay be firſt callit to uſe thair lauchful defence, or, at leiſt, preſentit in judgment and heird.

And ſicklike, it is aganis all lawis and reſſoun, and als it was never ſene in practice that ever the ſubjectis were Judges of the Prince, bot ſould alwayis obey thame, zea albeit thay be wickit, as the ſcripture declaris: And it is of truth, as thay cannot deny, that hir Majeſtie, immediatlie efter hir taking, divers times was content to admit the haill Nobilitie and thré eſtatis of the realme Judges, hir Hienes alwayis being heird to declair hir awin part in thair preſence, quhilk altogidder was refuſit.

Swa everie man may perſave thair haill ſuit is according to thair firſt pretence, to ſeclude hir Grace, and hir ſucceſſioun of hir bodie, and alſwa thame of line, as the uſing of my Lord Duke, and his freindis, inſtantlie declaris.

And gif it beis alledgit, that hir Majeſtie's writing, producit

ducit in parliament, ſould preive hir Grace culpabill, it may be anſwerit, That there is in na place mentioun maid in it, be the quhilk hir Hienes may be convict, albeit it were hir awin hand-writ, as it is not. And als the ſamin is devyſit be thameſelfis in ſum principal and ſubſtantious clauſis. And ſic alledgit privie writingis can mak na probatioun in criminal cauſis; quhilk will be cleirer nor the licht of the day. And ſwa be the ſaid writing nathing can be inferrit aganis hir Majeſtie.

And in cais it be alledgit, that the marrying of the Erle *Bothwel* is ane greit ſuſpicioun of hir Hienes's knawledge; it is anſwerit, that beſoir that ever that marriage was laid to hir Grace's charge, the maiſt part of the Nobilitie, and principallie of the uſurparis, ſic as the Erle *Morton*, Lord *Sempil*, Lord *Lyndſay*, and Mr. *James Balfour*, gave thair conſent to the Erle *Bothwel*. And to remove all ſuſpicioun quhairthrow he micht be abill thairto, thay declarit him innocent of that crime be ane publict aſſiſe, and clengit him be ane rollment thairof, and the ſamin was ratifyit agane in parliament, be conſent of the thré eſtatis; and ſwa the ſamin can infer na preſumptioun aganis hir Majeſtie.

And farther, in teſtificatioun of hir Grace's innocencie, and that hir conſcience dois perſuade hirſelf to abyde all tryal, hir Hienes has randerit hir maiſt nobill perſoun within the realme of *Ingland*, quhair his father, mother, and principal freindis mak reſidence, havand ſpecial commoditie to ſuit tryal thairof; quhilk, gif hir Grace had knawin hirſelf guiltie, ſcho wald not of hir awin fré motioun have cum thairin. Zit nottheles, hir Grace, being ane ſré Princeſs, is not ſubject to the judgment of ony uther Prince.

And farder, it is of trewth, that hir adverſaris, uſurparis of hir auctoritie, offerit remiſſioun to findrie that are convict for that crime by thame, gif thay wald ſay that hir Grace was guiltie thairof: Bot offeris to prove the ſeduceris culpabill thairof, in quhatſumever manner thay pleis.

Item, Gif it beis proponit, that our ſoverane Lady the

Quene's Majeſtie has renouncit hir crown, and all tytill thairof, and that the ſamin was ratifyit in parliament:

To that it may be anſwerit, The dait and place thairof declair the ſamin to be maid, hir Grace beand in preſoun, and ſwa be law is of nane avail, albeit hir Hienes had not bene compellit thairto, likeas hir Grace was indeed, as was declarit and verifyit be *Robert Melvill*, the time of hir Hienes being in *Hamiltoun*, after hir Grace was eſcapit furth of ward: quha affirmit ſolemnlie, that he came to the Quene's Majeſtie to *Lochlevin*, immediatlie befoir the ſaid alledgit dimiſſioun, ſent and direct furth of *Edinburgh* fra the Erle of *Athole*, the Secretar, and utheris partakeris in that cauſe, and advertiſit hir Grace, that it wald be laid to hir charge to renounce hir crown, and gif hir Grace did not the ſamin, ſcho wald be put ſchortlie to deith; thairfoir thair counſal was expreſlie to obey thair deſyre, for hir ſafety. And ſwa hir Majeſtie had juſt cauſe of feir; for thay affirmit the ſamin could do na hurt to hir Hienes's richt afterwart; and ſwa how ſone hir Grace was releivit, ſcho revokit the ſaid dimiſſioun in preſence of hir Nobilitie, and maid faith ſcho was compellit thairto upon feir of hir lyfe.

And as to the ratificatioun thairof in parliament be the eſtaitis, the ſamin procedit upon ane wrangous ground, quhilk was compulſioun of our Soverane to renounce the ſamin, likeas ſindrie of the Lordis maid reſſounis upon the articlis zit unreſolvit; notwithſtanding the quhilk, it was concludit on thair manner the ſamin to be ratifyit, and ſindrie of the principal Nobilmen, ſic as the Erlis of *Huntlie*, *Argyle*, and Lord *Hereis*, in ſpecial, at that time, tuik inſtrumentis, "That thay conſentit not to that dimiſſioun, "bot in ſa far as it ſtude with hir Grace's fré will, and gif "hir Majeſtie wald abide at the ſamin afterwart, and not "utherwayis; and in cais thairefter it wer found, that "hir Grace was compellit, or did the ſamin upon juſt feir, "that thay ſould be fré of thair conſent, as the ſamin had "never bene gevin, and all that followit thairupon to be "null;"

"null;" albeit hir fré conſent was affirmit be ſindrie there preſent, with mony ſolemnit aithis, be ſum Lordis, and inſtrumentis of Notaris declaring the ſamin, ſuppois the contrare be of veritie; quhilk ſall be verifyit be inſtrumentis taken in thair parliament, or be ſingular battel, as thay pleis. And attour, this renounciatioun was bot privatly gevin, and als privatlie admittit, be ane few number of thame onlie quha pat handis in hir Grace, and not in ony parliament; and alſwa the King was crownit be the ſamin number, and thair Regent on thair manner admittit; and ſwa all that followit thairupon can have na place.

Item, In cais certane articlis be proponit to be reſſounit and condeſcendit unto betwix our Soverane and the realme of *Ingland*, it is thocht gude be the Nobilitie of this realme, that are trew and faithful ſubjectis to thair Soverane the Quene's Majeſtie, to condeſcend unto all that may ſtand to the honour and glory of God, maintaining of tranquillitie, peace, amitie, and mutual concord, betwix thir twa realmis, and the commoun-weillis thairof; provyding the Quene's Majeſtie, our Soverane, be reſtorit, and reponit frélie in hir awin realme with all reverence, and to hir princelie honour, and government of the ſamin, in ſic wayis, that the lawis thairof be obſervit and keipt, the libertie thairof maintenit, and our ancient freindſhip and amitie with our auld freindis and confederatis inviolatit; and furder, ze ſall condeſcend ſa far as our Soverane ſall think fit for the preſent.

Item, In cais it be deſyrit, towart the government of the realme, that the Quene's Majeſtie our Soverane be the advice of hir counſal of the Nobilitie, it is thocht gude and reſſonabill that hir Grace do the ſamin, and that hir Hienes chooſe hir counſal of the wiſeſt and maiſt expert of the Nobilitie of the realme, likeas hir Hienes's predeceſſouris has done at all tymes paſt, and to do all thingis concerning the government of the realme, and weill thairof, be thair advice; utherwayis gif hir Majeſtie wer conſtranit to uſe the counſal onlie of ſic as certane hir ſubjectis wald choiſe

unto

unto hir, the ſamin ſould mak hir Grace be in perpetual thraldome to thame; quhilk is not only prejudicial unto hir Hienes, bot alſwa to all Princes, and contrare all cuſtumis and lawis of the realme of *Scotland*. Alwayis quhat hir Grace thinkis to be done thairintilll be zour advice, we ſall find guid.

Item, As to the religioun, ſuppois the matter be weichty in itſelf to conſtrayn mens conſcience, zit after reſſouning heird thairintill, quhat beis thocht guid be our Soverane and zou, we will condeſcend thairunto.

Item, As to the ancient league of *France*, it has ſtuid lang amang us, and appearandlie it cannot aggré with the honour of this realme to break the ſamin; zit, ſa far as may ſtand with our honouris, and weill of this realme, we are content to retein freindſhip with *Ingland*, and to contract thairupon as our Soverane ſall think guid; and alſwa to reſſave na ſtrangeris (to the prejudice of the realme of *Ingland*) within our realme in ony ſort.

Item, As to our Soverane's titill to *Ingland*, we underſtand our Soverane the Quene's Majeſtie buir ever that luif and favour towart hir ſiſter the Quene of *Ingland*, that ſuppois it had ſtuid in hir powar to have moleſtit hir Majeſtie in hir time, zit wald not do the ſamin, nor intendis (as we underſtand) to do in time cuming.

And now ſéing the Quene's Hienes of *Ingland* is ſo beneficial to our Soverane, ſcho thinkis hir Grace meikle mair addettit nor of befoir; and thairfoir it being our Maiſtres's pleſour and will, findis that part gude to be condeſcendit unto for the weill of baith the realmis, and that all occaſioun of troubill be removit, or ſuſpicioun, in time cuming; that our Soverane ſall not moleſt the Quene of *Ingland*, nor hir lauchful ſucceſſioun of hir bodie, without prejudice of hir Soverane's titill thaireſter. In like maner, the Quene's Grace of *Ingland* ſall do nathing in hir time that may be prejudicial to our Soverane's titill after the Quene of *Ingland*'s deceis; and to require, gif it be hir Grace's pleſour to declare, for that favour to our Soverane in hir

awin

awin time, quhen it ſall pleis hir Hienes to be movit thairto.

Item, As to the puniſhing the Quene's husband's murthouraris, the ſamin to be execute upon the perſounis quha has juſtlie deſervit the ſamin, as law and reſſoun will permit.

Item, Quhatever beis condeſcendit unto, the Lordis promiſis to ratifie and appreive the ſamin, and ſall conſent thairto in the firſt parliament that beis haldin be our ſoveverane Lady within the realme of *Scotland*, and upon thair lyves and honouris ſall ſet forward the ſamin in time cuming; and gif fürder beis requirit, to condeſcend thairto as the Quene's Majeſtie our Soverane, be zour adzice, ſall think guid.

Item, Ze ſall not fail, at zour firſt reſſouning, to expound and declair hiely the proceedingis in this laſt thair pretendit parliament to the foirfaltour of ſindrie Nobilmen; and als, that thay daylie continew putting at the Quene's Grace's trew favouraris, be charge of thair houſis, lifting of pains for abſence, and troubling thame utherwayis, notwithſtanding that we have deſiſtit, at our Soverane's deſyre, be the Quene of *Ingland*'s requeſt; and thairfoir to require the Quene of *Ingland*, according to hir promiſe, that haſtie ordour be put thairto, that hir Grace's requeſt be eſtemit mair weichtie in time cuming nor it has ſemit at this time, and thairfoir has juſt cauſe to employ forces for reſtitutioun of our Soverane in hir awin realme, quhilk ze ſall maiſt erneſtlie require befoir all uther thingis.

Item, To remember amangis uther informatiounis, that the principal cauſe firſt ſet furth be the uſurparis quhairfoir thay put firſt in armis, was, to put the Quene's Majeſtie's maiſt nobill perſoun to libertie, furth of the Erle of *Bothwel*'s handis, and to puniſh him for the violent taking and raviſhing of hir Hienes, and puniſhing him for hir huſband's ſlauchter, and zit has procedit further, as is notourlie knawin, to the uſurping of the auctoritie.

Thir

Thir are the principal heidis and articlis quhilk we preſentlie have in heid, for the weill of our Soverane's ſervice, and advancement of hir Grace's affairis, to be ſichtit, concludit, and ſet forwart be the Quene's Majeſtie, or reſſounit at hir Hienes's pleſour, be the advice of the Commiſſionaris foirſaidis. Subſcryvit with our handis at *Dumbarton* reſpective, the 12th day of *September*, 1568.

John Archbiſhop of *St. Androis.*	*Argyle.*	*Huntly.*
Eglinton.	*Caſſilis.*	*Crawfurd.*
Fleming.	*Maxwell.*	*Errol.*
Glenluce.	*Laur.* Lord *Oliphant.*	*Ja.* Lord *Ogilvy.*
Sanquhar.	*David* Lo. *Drummond.*	*Somervile.*
Roſſe.		*Zeſter.*

My Lord Biſhop of *Roſs*, Lordis *Levingſton*, *Boyd*, *Herrys*, and *Kilwynning*, ſubſcryvit not thir articlis, nor the commiſſioun, becauſe thay wer appointit Commiſſionaris, acceptit the ſamin.

Swa endis the copies of the inſtructiounis and articlis of the Quene's Majeſtie of *Scotland*, gevin for the conference in *Ingland*.

NUMB.

NUMB. CXL.

Queen *Marie*'s allowance and approbation of the proceedings of her Commissioners.

From Queen *Mary*'s Regiſter.

At the Quene's Majeſtie of Ingland's *Caſtle of* Tutberry *in* Straffordſhire, *on* Mononday, vij. February 1568.

THE quhilk day *John* Biſhop of *Roſſe*, and *John* Lord *Herreis* arrivit at the ſaid caſtle, and paſſing to the preſence of the Quene's Hienes of *Scotland*, thair Soverane, after the delivering of the Quene's Majeſtie of *Ingland*'s writingis, and in preſence of *William* Lord *Levingſton*, and *Robert* Lord *Boyd*, maid full diſcourſe and reherſal of all thair doingis and proceidingis ſen the accepting of thair commiſſioun at the citie of *Zork*, unto the day of thair cuming to *Tutberry* foirſaid, and producit ane regiſtrat buik written be Mr. *Alexander Leſly* Notar, being Scribe appointit thairto be the haill Commiſſionaris, and deliverit the ſamin to hir Majeſtie; quhilk being perufit, viſyit, red, and conſiderit, be the ſpace of thré dayis, be hir Hienes, and hir ſaid Commiſſionaris togidder, hir Majeſtie did rycht thankfullie allow of the ſamin, and everie part thairof, rendering thame thankis for thair trew, faithful, and painful ſervice, and confirmit the ſamin be hir ſpecial warrant under hir hand-writ and ſignet, quhairof the tenour followis:

MARIE, be the grace of God, Quene of *Scotland*, and dowarier of *France*: Forſamekill as we appointit our traiſt couſignis, Counſallouris and freindis, *John* Biſhop of *Roſs*, *William* Lord *Levingſtoun*, *Robert* Lord *Boyd*, *John* Lord

Herreis, Gavin Commendatar of *Kilwynning, John Gordon* of *Lochinvar*, and *James Cockburn* of *Skirling*, Kniehtis, our Commiſſionaris, to treat for us, and for our affairis, with our derreſt ſiſter the Quene of *Ingland*, or hir Commiſſionaris, at the city of *Zork*, or in ony uther place within the realme of *Ingland* quhair it pleiſit hir to appoint; we having peruſit thair proceidingis, and underſtanding thair faithful mind, and trew ſervice thairintill, dois very weill allow thairof: Quhilk we mak notifyit be thir preſentis, gevin under our ſignet, and ſubſcryvit with our hand at *Tutberry* the 9th day of *February*, the zeir of God 1568 zeiris, and of our regne the 27th zeir.

Sic ſubſcribitur,

MARIE R.

Thairefter hir Majeſtie declarit unto them, that during hir abiding within this realme, it was neceſſar, that ſum Nobilmen and wiſe Counſallouris remanit with hir Hienes, for thair guid counſal, and honourabill cumpanie; thairfoir deſyrit effectuouſlie the ſaid Biſhop of *Roſs*, Lord *Levingſton*, and Lord *Boyd*, to remane with hir Hienes in *Ingland* to that effect, and that my Lord *Herreis* ſould paſs in *Scotland*, to give full informatioun to hir trew ſubjectis of the proceidingis in hir Hienes's cauſis in this realme of *Ingland*, and of hir will and pleaſour, and to get thair advice and counſal quhat was beſt to be farder done be hir Majeſtie thairunto, and to advertiſe agane thairof, hir Majeſtie being determinat to do nathing in thir hir Hienes's ſa weichty affairis, bot be the ſpecial advice and counſal of hir Nobilitie, and hir eſtaitis of hir trew, faithful, and obedient ſubjectis. And the ſaidis Commiſſionaris thinking hir Majeſtie's deſire very reſſounabill, as trew, obedient and willing ſubjectis, did accord thairto: And ſwa my Lord *Herreis* departit into *Scotland*, and the utheris thré dois remane with hir Majeſtie in *Ingland*.

NUMB.

NUMB. CXLI.

The docquet of Quene Marie's *regiſter.*

THUS endis the regiſter of the haill proceidingis in the Quene's Majeſtie's of *Scotland*'s affairis, be hir Hienes's Commiſſionaris, ſen the beginning of the conference at *Zork*, the fourth day of *October*, 1568, to this nynth of *February* inſtant, 1568, trewlie, faithfullie, and diligentlie collectit, and put in form and ordour be the ſaidis Commiſſionaris fra time to time, as the ſamin was deliverit and written be Mr. *Alexander Leſly* Parſon of *Kincardin*, Notar-publict and Scribe, depute be thair command to that effect. In witneſs of the quhilkis thay have ſubſcryvit the ſamin with thair handis, and the ſaid Notar alſwa, in preſence of the Quene's Majeſtie thair Soverane, in faith and witneſs of the premiſſis, at *Tutberry* caſtle, the day, zeir and moneth foirſaid.

JOANNES, *Eps. Roſſen.*
R. BOYD.

M. A. L. N. P. HERRYS.

NUMB. CXLII.

The allowance of the proceedings of the Earl of Murray *Regent, and the Lords Commissioners that were with him in* England, *by* Murray *himself, and his own council.*

Apud Striviling, xii. *die mensis* Februarii, *anno, &c.* 1568.

Sederunt,

Jacobus Dominus Regens.
Joannes Comes de Atholl.
Jacobus Comes de Morton.
Joannes Comes de Mar.
Alexander Comes de Glencairn.
Willielmus Comes de Menteith.
Robertus Comes de Buchane.
Joannes Magister de Grahame.
Willielmus Magister de Marschell.
Andreas Magister de Errol.
Episcopus Orchaden.
Commend. de Dumfermling.
Commend. de Balmerinoch.
Commend. de Dryburgh.
Commend. de Cambuskennit.
Commend. de Coldinghame.
Commend. de Quhithorne.
Patricius Dominus Lyndsay.
Joannes Dominus Glammis.
Alexander Dominus Saltoun.
Joannes Dominus Innermeyth.
Alanus Dominus Cathcart.
Andreas Dominus Uchiltré.
Secretarius.
Thesaurarius.
Computorum Rotulator.
Clericus Justiciariæ.
Clericus Registri.
J. Spens Advocatus.

Commissionaris for the burrowis of
Edinburgh.
Striveling.
Dundé.
Pebles.
Glasgow.
Coupar.
Sanctandrois.
Perth.
Haddington.

THE haill Lordis of the privie counsal, and utheris of the Nobilitie and estatis aboye-writtin, allowit the pro-

ceidingis of my Lord Regent's Grace, and Lordis Commiſſionaris that were with him in the realme of *Ingland*, the ſamin proceidingis being declarit and red to thame.

NUMB. CXLIII.

Letter from Alexander Hay, *Clerk of the Regent's Privy-council, to* John Knox.

From *Richard Bannatyne*'s hiſtory, MS.

Sir,

I RESSAVIT zour writing of the vj. of this moneth fra the Superintendent. Not lang befoir *Jhone Brand*, deliverit to me *Richart Bannatyne*'s lettre of the xiiij. of *November*, qhhilk I had not ſene quhen himſelf was heir. I had no commoditie to wryte at the departour of the Superintendent, nor knew not certanelie his dyet. As to the letres written be zou to my Lord, the laſt Regent, now reſting with God, I cannot certanelie affirm whether I have it or not; bot gif it be in my handis, it is in *Striveling*, quhair I ſall ſearch for it at my paſſing thither, and, gif I have it, ſall ſend it to zou. I have no further certantie of the *Ingliſh* reſolutiounis towart our eſtait nor I had at my laſt wryting to zou, for na anſwer is returnit fra the court. The Lord *Huniſdeal*'s dealing is not pleaſing. Whether his awin imperfectiounis of nature, or commandment, is the occaſioun, I will not zit judge.

Thay have ſet out in *Ingland* our Quene's lyfe and proceſs, baith in *Latin* and *Ingliſh*, quhairin is contenit the diſcourſe of hir tragical doingis; the proceſs of the Erle *Bothwell*'s clenging, hir ſonnettis and letteris to him, the depoſitiounis of the perſounis execute, and cartellis efter the King's murthour. In appeirance thay leive nathing unſet out tending to hir infamie, and to mak the Duke of *Northfolk* odious, quha has a greit benevolence of the people.

people. Bot thair ſlaw reſolutiounis in that countrie dois us greit harm heir, and is like enouch in worldlie appeirance to prove incommodious to thameſelfis at lenth. We may not command, and ſwa neccefſarily mon ſuffer.

Be commoun report of ſum cum fra *Flanderis*, we heir the newis of the *Turkis* overthrow affirmit, for the quhilk fyris wer maid in *London*. That there has bene a counſal at *Bruxellis*, and aid of money, men, and munitioun grantit to our adverſaris, at the Lord *Seytoun*'s procurement. He was twyſe on the ſea, and conſtraynit be tempeſt to return. It is ſaid, that the Cardinal of *Lorane* was at the ſamin counſal, and that the Prince of *Oreinge*, with ſum uther Princes of *Germany*, and Nobilmen of *France*, wer cum to the frontiers of *Flanderis*; for reſiſting of quhom Duke *D'Alva* has drawn his men of weir fra all the townis quhair thay lay in garnyſoun, and ſend thame to the frontiers. That there is a guid number of ſhippis at *Dover* raid, and utheris on the narrow ſeis, under the name of the Prince of *Oreinge*, quhilkis hes takin mony of the buſches, and thair wachteris; and that thir ſhippis of the Prince of *Oreinge* hes overſicht to mak ſale of thair wairis in ony part of the King of *France*'s dominiounis; quhilk appeiris ſtrange, gif it be trew on the uther part, that the Cardinal was at the counſal in *Bruxellis*.

It is reportit alſwa, that the Admiral is returnit to his houſe, and the Cardinal of *Lorane* returnit to the court of *France*; that the mariage haldis fordwart betwix the Prince of *Navarre* and Madame *Claud*, the King of *France*'s ſiſter; and that the ſamin prognoſticks a weir betwixt *France* and *Spain*. The Admiral has gottin the King's licenſe, that the Proteſtants may contribute amangis thameſelfis for payment of the money borrowit fra the Quene of *Ingland*, during the tyme of the weiris, and the town of *Diep* has els payit fyve thouſand franckis, as a part of that contributioun. As I get knawledge farder in forrane matteris, ze ſall, God willing, be maid participant. Thair has bene ſum conference betwix ſum of the Superintendents and Miniſters,

niſters, and my Lord Regent's Grace, and the counſal, for agrément in materis tuiching the policie of the kirk, and diſpoſitioun of benefices. The matter is deferrit quhill the viij. of *Januar*. It ſeemis to differ rather in circumſtances nor in effect: And to ſpeik truth, I find the Regent willing and deſyrous to have a form aggreit unto, quhilk, I truſt, he ſould perform for his Intereſt. The ſtay of the aggrément in this, hinderis als weill the cauſis of the kirk as of the eſtait, quhairof I wald wiſh zour habilitie micht try the beſt and the worſt. Gif ze have with zou the buik I ſend zou quhen I came fra *Ingland*, intitulat, *Leges eccleſiæ anglicanæ*, or *Reformatio legum eccleſiaſticarum*, quhilk is the work of *Jhone Foxe*, I will pray zou ſend the ſamin to me with this beirar, and I ſall do gude-will to ſend zou ſum uther buik to ſupplie the place of that, quhill I return it, gif ze think it worth.

For ſic thingis being in my handis as were meit to decoir the hiſtorie, I askit of zou befoir quhat were the thingis ze thocht meit? For I have ſindrie thingis, in my judgment, not unmeit for that purpoſe; and thairfoir, that I ſall not be put to extraordinar painis to copie thingis that ze have alreddie, lat me knaw gif ony of the thingis heirefter notit be convenient, and may ſerve zour turn. Sic things as are newlie ſet out in print, I truſt, be not neidful to be written, as, the diſcourſe of the Quene's doingis, hir letteris to the Erle *Bothwell*, the proceſs of his clenging, and cartellis; all quhilk are ſet out baith in *Latin* and *Inglifs*. In the end of quhilk *Inglifs* buik thir ſentences or concluſiounis are writtin, quhilkis I thocht not guid heir to ſlip:

Now judge *Engliſhmen*, gif it be gude to change Quenis:
O uniting confounding!

When rude *Scotland* hes vomited a poyſoune, muſt ſyne *England* lick it up for a reſtorative?
O vyle indignitie!

Whiles your Quene's ennemy liveth, hir danger contineweth.

Deſpe-

Deſperat neceſſitie will dar the uttermoſt.

O Ambitione! fed with proſperitie, nuriſhed with indulgence, irritate with adverſitie, not to be neglected, truſted, nor pardonit.

I have, bot thay are in *Striveling*, the two proceſſes of divorce betwixt the Erle *Bothwell* and his wife.

Some proclamations about that time.

Inſtructionis gevin to the B. of *Dumblane*, to excuſe that mariage.

Band of the Lords befoir the mariage.

Declaratione of the Quene, that ſhe was at libertie after her reveiſſing.

Proclamatione and bands at the Kingis corronatione, and afoir.

Conditiones of the randering of *Dumbar*.

Some band made about the parliament in *December*, 1567.

Proclamationes after the feild of *Langſyde*.

Negotiatione with *England* thereſter, while we paſt to *York*, and all the publict proceſs we had in *Ingland*.

Articles at *Glaſgow* in *Marche* 1561.

Order for the theives at the borders.

Articles of agriement with the Erle of *Huntlie*, Lord *Ogilby*, Erle of *Craufurd*, *Machyntoſhe*, Laird of *Grant*.

New band of thame, with relaps.

Projects brought hame with Mr. *Jhone Wood*, whairon followit the anſwer at the conventione at *Perth*.

The order taiking with the theivis in *October*, 1569.

Proclamationis be Erle of *Suſſex*, tuiching the rebellione in the north of *England*.

Actis and doingis efter the murther of the Erle of *Murray* Regent.

Proclamatione at the incuming of the *Engliſhmen* to *Hamiltoun*.

The conſtitutione of the Erle of *Lenox* Regent.

And

And finallie, all ſic commoun thingis as paſt regiſteris are in my hands, and ſall be at commandement, how ſone I have commoditie to be in the rowme quhair they are, and may have thame copyit out of the buiks, or quhair they are in ſcrollis, ſall ſend the ſcrollis. Thus having tó lang trublit you, efter my moſt hartlie commendatiounis, committis you in the protectioun of Almichtie God.

At *Leyth*, the xiiij. day of *December*, 1571.

Yours aſſuredlie to uſe and command,

A. HAY.

NUMB. CXLIV.

A paper written and publiſhed by *Cecil*, to gain credit to *George Buchanan*'s *Detection*, and in ſupport of the forged letters to the Earl of *Bothville*, *&c.* by him intituled,

The copie of a letter written by one in London *to his friend, concernyng the credit of the late publiſhed* Detection *of the doynges of the Ladie* Mary *of* Scotland.

From a printed copie, without place or date.

MANY are the practiſes of *Papiſtes*, and other falſe and hollow-hearted ſubjectes; and wonder it is what they dare do and ſay, as if they had the Majeſtie of our Prince in contempt, or did ſtill beare themſelves bold upon

the ſucceſſe of ſome mightie treaſon, the bottom whereof hath not yet bene throughly ſearched [a];

Of late hathe bene publiſhed out of *Scotland*, [b] a treatiſe detectyng the ſoule doynges of ſome that have bene danngerous to our noble Quene. By which detection is induced a very excellent compariſon [c] for all *Engliſhmen* to judge, whether it be good to chaunge Quenes or no; and therewith a neceſſary enforeement to every honeſt man, to pray hartely for the long continuance of our good mother to rule over us, that our poſteritie may not ſee her place left empty for a perilous ſtepedame.

Some caryed with *Popiſhe* affection, that regardeth neither naturall Prince nor countrey, and puffed with the dropſey of a tryterous humor, labour what they can to diſcredit the ſame detection as untrue.

Some of them, whyle they, lyke good ſincere men forſoth, would fayne ſeme very indifferent Judges, ſay, they will credit nothyng till they hear both parties; not remembryng that in the ſame one booke are both parties to be heard; the one, in the former part, both in the declaratioun and oration of evidence; the other, in the latter part, in the parties own contractes, ſonges, letters, judicial proceedynges, proteſtations, examinations and confeſſions.

Some other more open fellowes ſay flatly, That all is falſe; the booke hath no credit, the author is unknowne, obſcure, the matter counterfaite, and all is nothyng.

If any ſuch rumors come to your eare, firſt I thinke verely, in truth, you may be bold to ſay to the partie, *Et tu*

ex

[a] *Cecil* here hints at the Duke of *Northfolk*'s intended marriage with Queen *Mary* of *Scotland*, altho' he himſelf, with many others, had joined in that deſign.

[b] By this diſguiſed expreſſion, he would impoſe on his readers, as if the *Detection* had been publiſhed or printed in *Scotland*, tho' he knew it was printed in *England*, and that too by his own procurement. See the preceeding letter.

[c] *Cecil* pays this compliment to himſelf; for he drew the compariſon.

es illis es, Thou art also one of them [d]. And for the matter, I have thought good to enforme you of so much as I know, for proofe of the same treatise to be of credite; wherewith you may aunswere and stoppe the mouthes of such rumor spreaders.

The booke itselfe, with the oration of evidence, is written in *Latine* by a learned man of *Scotland*, M. *George Buchanan*, one privie to the procedynges of the Lordes of the Kynge's secret counsell there, well able to understand and disclose the truth, having easie accesse also to all the recordes of that contrey that might helpe hym [e].

Besides that the Booke was written by hym, not as of hymselfe, nor in hys owne name, but accordyng to the instructions to hym given by common conference of the Lordes of the privie counsel of *Scotland*; by hym onely for hys learnyng penned, but by them the mater ministred. The booke overseen and allowed, and exhibited by them, as mater that thay have offered, and do continue in offeryng, to stand to and justifie, before our soveraigne Ladie, or her Highnesses Commissioners in that behalfe appointed. And what proofe they have made of it already, when they were here for that purpose, and the sayd authour of the sayd booke one among them, when both parties, or their sufficient Procurators, were here present indifferently to be heard, and so were heard indeede: all good subjectes may easely gather be our said soveraigne Ladye's procedyng sins the said hearyng of the cause; who no dout would never have so stayed her request, but rather would have added enforcement, by ministring of ayde to the Lady *Mary* of *Scotland*, for her restitution (the President and honor of Princes, and her Majestie's own former exampill of sinceritie, used in defense of the *Scottish* Quene her selfe in *Scotland*,

[d] Is not this a convincing argument?

[e] *It might have been added*, that *Buchanan* was perfectly well acquainted with the letters themselves, as he assisted in the forgery, and then offered to swear them to be genuine. See Numb. xlvii. pag. 140, & 142.

againſt *France*, and her maintenance of the *French* Kinge's honour and libertie againſt the hye attemptes of ſome of his *Popiſh* ſubjectes, conſidered) nor would have lyved in ſuch good amitie with the young Kyng of *Scotland*, the Regentes, and the true Lordes mainteners [f] of that ſide, if theſe haynous offenſes alledged on that part had not been provable, or if the young King had been an uſurper, or hys Regentes, and other Lordes of that faction, traytors; as they muſt have been if all be falſe that is objected againſt the ſayd Ladie *Marie* [g].

I recite not what ſubſcriptions and aſſentes have bene to confirm the booke, and the maters in it conteined [h]: Beſyde that I do you to wyte, that one written copie thereof in *Latine* was now, upon hys late apprehenſion [i], found in one of the Duke of *Norfolke*'s mens houſes, and thether ſent by his commaundement, a little before his apprehenſion, to be ſecretlie kept there, with divers other pamphelets and writynges. Whiche thyng not onely addeth credit to this booke, that it was not counterfait [k], but alſo geveth ſhrewed ſuſpicions, that the Duke could not ſo well lyke the woman, beyng ſuch a woman, as, for her perſon's ſake to venture the overthrow of ſuch a flouriſhing ſtate wherein he ſtode before; but that ſome other greater thyng, it might be, that he lyked, the gredyneſſe whereof myght temper his abhorryng of ſo foule conditions, and of ſo great a danger to hymſelfe to be ſent after his predeceſſours [l]. The Byſhop of

[f] This is taken from the title of one of *Buchanan*'s libels, written the year before, *viz.* 1570.

[g] *Ex ore tuo.*

[h] It is now done for you, *ſupra*, *p.* 62, 66, 87, 90, 91, 92, 122,-9.

[i] Hence it is manifeſt, that this letter was written and printed at the ſame time with the *Detection*, in *September* or *October*, 1571; for the Duke was apprehended about the beginning of *September* that year.

[k] None ever pretended that the book was counterfeited, but the letters only. Yet is this logick naught, either as to the credit of the one or the other.

[l] *i. e.* beheaded. So it appears it was determined before trial, that he ſhould be put to death at any rate.

of *Roſſe* lykewiſe doth both knowe that the Duke had this booke, and can tell how the Duke came by it.

The other mater of the contractes, letters, ſonges, *&c.* have, among other, theſe proves; Lively witneſſes, of great honour and credit can tell, that the very casket [m] there deſcribed was here in *England* ſhewed, and the letters other monuments opened and exhibited, and ſo much as is there ſayd to have been written, or ſubſcribed, by the ſayd Ladie *Marie*, the Erle *Bothwell*, or other, hath been by teſtimonies and othes of men of honor and credit of that contrey [n], teſtified and avowed in preſence of perſones of moſt honourable ſtate and authoritie, to have been written and ſubſcribed as is there alledged, and ſo delivered without raſure, diminution, addition, falſifieing, or alteration in any point. And a nomber there be in *England*, of very good and worſhypful callyng, byſide the Commiſſioners thereto apoynted, that have ſeene the originals themſelves, of the ſame handes whoes this booke doth ſay them to be. Whiche thinges have been heard and underſtoode by thoſe that can tell, and thoſe whoes truth in reportyng is above all exception.

Wherefore ſithe the *Scottiſhemen* have, for ſatisfaction of us their good neyghbours, among whom the ſayd Ladie *Marie* remayneth, to the peril of both Princes, as the *Scottiſhemen* ſay, publiſhed theſe maters, to the intent that the impudence of the ſaid Ladie *Marie*'s fautors, in denyeng thoſe truthes, may not ſeduce *Engliſh* ſubjectes to the undermyning of the eſtate, honor, and noble procedyng of our moſt gracious Soveraigne, and divertyng of affections to undue places, and to the great peril of both realmes, which

[m] *i. e.* the ſilver box. See Numb. xxij. xxiij. and lxxxix. But who was it, pray, that put theſe letters into that box? *Morton* and his fellows, we know, had ſeized all the Queen's plate. How then did the ſhewing of this one ſilver box contribute to prove the letters genuine? Would not another box have done as well?

[n] Yes, yes: See their names and oaths, *ſupra*, Numb. xxiv. xxxv. & lxx.

which the adversaries call BENEFICIALL UNITYNG [o], but is in deede most *maleficiall confoundyng*, intended to joyn the realmes in other persones, excludyng the person of our sayd soveraigne Ladie. Let us receive this admonishment thankefully, and gather the frute thereof, to the stablishment of our loyaltie to our owne Queene, agaynst whom the favorers of the other syde have banded themselves in hostilitie and treason.

This I have thought good to write to you, for your satisfaction in knowledge of the case, whom I know alreadie sufficientlie satisfied in good and dutifull affection. God disclose these hollow hartes; or rather, God graunt her Majestie, and those that be in authoritie under her, an earnest will to see them; for they will disclose themselves fast enough. And God send her Majestie so to remove the groundes of her perill [p], that not onely we, which by open thrustyng ourselves agaynst her enemyes, have set up our rest upon our Queene *Elizabeth*, and shall never be admitted to favour on the other syde [q], but also all wise and honest men may know, that it shall be safe to be true, and daungerous to be false. Otherwise the mischief is evident; for men in nature and in policie will seke for their own safeties, which if they may not find in truth, it is a great avaunсement of falsehode. God long preserve our good and gracious Quene *Elizabeth*, and make her enemyes know that there is sure perill in treason, and her true subjectes bold to sticke to her, without dread of any revenge or displeasure. So fare ye well.

For

[o] *Cecil* was a mighty oppoſer of the uniting the two kingdoms, being for making the Earl of *Hartford* King, who forſooth was on his part to make one of *Cecil*'s daughters Queen of *England*, by marrying her. See above Numb. CXXX. But had *Hartford* once got into the ſaddle, he would probably have found out another for that place.

[p] *i. e.* to murder Queen *Mary* and the Duke of *Northfolk*.

[q] This is the common caſe of thoſe who are totally immerſed in villainy: They muſt ſtill proceed to greater and worſe crimes, for their own ſafety, and to preſerve their poſts and penſions.

FOR further profe that the ſayd letters, written by the ſayd Ladie *Marie*, and mentioned in the ſayd booke, are not counterfait, but her owne, I have herewith alſo ſent you the moſt autentike teſtimonie of the three eſtates of *Scotland* aſſembled in parliament. The copie of which acte you ſhall receive worde for worde, as it was enacted in *Scotland*, in *December*, 1567, and remaineth publikely in print; ſaving that I have for your more eaſy underſtanding changed the *Scottiſh* orthography, which I would to God had been done, for *Engliſhmens* better ſatisfaction, in Maiſter *George Buchanan*'s boke [r]. Howbeit the ſame is not ſo hard, but that, after the readyng of two leaves a man may eaſely enouch grow acquainted with it: And doutleſs the knowlege and monumentes therin contained are well worth ſo ſmall a travel to underſtand them.

The *Scottiſhe* act of parliament. *Touching the retention of our ſoverane Lorde's mother's perſone.*

ITEM, touching the article, *&c. ut ſupra*, Numb. xv.

This act, with the reſt, is thus ſubſcribed in the *Scottiſhe* booke: *Extractum de libro actorum parliamenti, per me* Jacobum Makgill *de Rankelour-nether, Clericum rotulorum regiſtri ac conſilii*, S. D. N. *Regis, ſub meis ſigno et ſubſcriptione manualibus.* JACOBUS MACGILL. And is imprinted at *Edinburgh*, by *Robert Lekprevik*, Printer to the King's Majeſtie, the vi. day of *Aprill*, in the yeare of God, 1568.

NUMB.

[r] This is all a blind; for this very man himſelf cauſed print that book; and ſo far was he from changing, that he affected to preſerve the *Scottiſh* orthography, in ſo much that, by miſtake, he frequently gives the older *Engliſh* orthography for it, which was never uſed in *Scotland*.

NUMB. CXLV.

Part of a curious letter from James *Earl of* Mortoun, Robert *Abbot of* Dumfermling *Secretary, and Mr.* James Makgill *Clerk Regiſter, Commiſſioners and Ambaſſadors at the conference in* England, *to the Earl of* Lenox, *Regent of* Scotland.

From the Regent's own regiſter of letters, *Fol.* 202.

***** WE reſſavit a lettre, written furth of *Denmark* be Mr. *Thomas Buchannane* to zour Grace, of the dait of the xx. of *Januar :* And becauſe we jugeit that ſum thingis mycht be ſpecifyit thairin quhilk wer expedient to be rememberit upon heir, we tuke the baldnes to opin and reid the lettre; quhilk it may pleis zour Grace preſentlie reſſave.

The cauſe quhy it hes bene ſa lang in ſending wes, that we thocht not beſt to commit it to the throuch-poſt, or a commoun Meſſinger: "For that we haid na will the contents of the ſame ſuld be knawin, fearing that ſum words is and matteris mentioned in the ſame, being diſperſit heir as novellis, ſuld rather have hinderit nor furtherit our cauſe. And thairfoir, being deſirit at court to ſhaw the lettre, we gave to underſtand that we had ſent the principal away; and deliverit a copie, omittand ſic things is as we thocht not meit to be ſhawin, as zour Grace may perceave be the like copy, quhilk alſo we have ſent zou herewith; quhilk ze may communicat to ſic as zour Grace thinkis not expedient to communicat the haill contentis of the principal lettre unto."

We have bene in hand baith with the Quenis Majeſtie, and with the counſal, upon the delay that Mr. *Thomas Buchannan* findis in the expeditioun of the twa chief pointis gevin him in commiſſioun to travel for; that was for the deli-

deliverance of the murtherar *Boithville*, that juſtice might be execute upon him, and the ſetting at libertie of Captaine *John Clark**, quha has bene ſa lang and ſa rigourouſlie impriſonit: And hir Majeſtie is content to write, as in the ſamin letter is deſyrit; quhilk we ſall obtene, God willing, befoir our departing.

Order will alſo be tane anent the *Ingliſhman* callit *Horſey*; and for the Paige, we underſtand his name for to be *Herman*, quha, as we haif gottin knawlege, came furth of *Scotland*, and enterit in *Ingland* at the eiſt marche, diſagyſit in his apparell, paſſing on fute in a blew coit, a blew *Scottis* cape on his heid, and a fork on his ſhulder, as the commoun cuſtume of the northern pepill is to gang; and he was ſene in this ſort cumand fordwart in *Ingland*, thré myles bezond *Alnewick*, upon *Monounday* the xix. of *Februar*. He has paſt, I doubt not, to the part quhair the Quene, moder to the King our ſoverane, lyis, and fra thine, be appearance, will tak his courſe to *Denmark*, ather furth of this realme, or out of *Scotland*. Heir we ſall procure the beſt remedie that may be found, not doubting bot zour Grace in *Scotland* will command ſerche to be maid, not onlie for this Paige, bot for *Gavin Elphinſtoun*, gif he cumis thair, and will gar try alſo the utheris ſpecifyit in the lettre, *&c.* At *London*, the xxiilj. of *Marche*, 1570.

Zour Grace's with ſervice,

MORTOUN.
R. DUMFERMLING.
JA. MAKGILL.

Indorſed thus:
To the Regent of Scotland *his Grace.*

* This *Clark* was a noted rebel and murderer.

NUMB. CXLVI.

Ane letter preſentit be the Biſhop of Roſs, *to the Quene's Majeſtie of* Ingland, *for informatioun, and defence of the Quene's Majeſtie of* Scotland.

From Queen *Mary*'s Regiſter.

PLEIS zour Majeſtie, quhen my Maiſtres and Soverane, the Quene's Hienes of *Scotland*, came in this zour Majeſtie's realme, of hir awin fré motive will, the cauſe moving hir thairto was, the greit truſt and confidence ſcho had in zour Majeſtie, as hir guid ſiſter and maiſt tender couſin in the warld, with ſindrie promiſes of freindſhip, amitie, and mutual aſſiſtance, affirmit be tokenis and writingis; and laſt of all, be reſſaving the ring agane fra *Beton*, immediately eſter hir delivering furth of *Lochlevin*, quhilk zour Majeſtie had gevin and interchangit, as a pledge of amitie, and promiſe of help to utheris mutuallie, quhenſoever occaſioun ſould require, hoping thairthrow to obtain zour Hienes's ſupport, quhilk ſcho freindlie and hartelie deſyrit aganis hir unnatural, ungrate, and diſobedient ſubjectis, quha had not onlie impriſonit hir maiſt nobill perſoun, bot did alſwa quhat was in thame to take away hir life, and thairfoir to cauſe thame to recognoſce thair duty to hir thair natural and undoubtit ſoverane Ladie and Princeſs, that ſcho micht enjoy hir realme in quietneſs, according to hir calling be God: At quhilk time zour Majeſtie cauſit hir to be thankfullie reſſavit, and tuik in hand to dreſs hir cauſis to hir honour and weill, ſobeit ſcho wald leive the ſeiking of ayd and ſupport of all uther Princes, and ſtay hirſelf onlie upon zour Hienes, quhilk, upon the truſt foirſaid, ſcho willinglie obeyit. And becauſe zour Majeſtie thocht guid the cauſe ſould be firſt aſſayit rather be reconciliatioun and appointment, as it might ſtand with hir Hie-

Hienes's honour, than be force of armis; to that effect ther was ane conference and meeting appointit at *Zork*, quhair it was declarit, be me, and utheris hir Majeſtie's Commiſſionaris, that ſcho did not intend the deſtructioun of hir ſubjectis, albeit thay had highly offendit hir Hienes, bot onlie that thay, being put in remembrance of thair former misbehaviour, (quhilk nather zour Majeſtie nor ony uther Prince will allow, as weill for exampill's ſake, as uther guid reſpectis, fit for Princes to luik into) micht acknawledge thair duty, and return to thair obedience; and then hir clemencie micht be extendit towardis thame, being embraſſit of hir Hienes as hir luifing ſubjectis, quhairby thay micht baith leive in quietnes togidder: And to this end nathing was left unofferit be us that micht have brocht the cauſe to a perfect reconciliatioun, be zour Majeſtie's ſicht and advice. Quhilk being utterlie refuſit be hir Majeſtie's ſaid diſobedient ſubjectis, my Soverane thocht that zour Majeſtie wald bring hir in no worſe termis with hir ſubjectis than thay wer in beſoir the ſaid conference, in reſpect of thair misbehaviour, and hir luifing mind and will towardis hir ſubjectis, and the quietnes of hir countrie: And ſeing this ſucceſs has not followit upon this conference according to hir expectation, bot rather the contrary, and, as appeiris to hir, nather hath zour Majeſtie, nor zour Miniſteris, gone about, or taken any pains to mak a reconciliatioun, nor zit are hir ſubjectis cum to ony towardneſs or diſpoſitioun to be reconcilit to hir; it may be thocht, that hir enemies hes taken the advantage of this preſent time, alledging hir to have ſic affectioun for hir alliance and freindſhips in *France*, quhairin hir Uncles beir the greiteſt rule, with divers utheris circumſtances, to put zour Majeſtie in doubt, and to ſuſpect her.

The cauſe quhy hir inobedient ſubjectis cannot conceive the meanis of reconciliatioun is, thair knawledge how far thay have proceidit in offending hir; and thairfoir thay feir ſcho cannot forgive thame, and that ſcho alwayis will keip thair offenſis in mind, and will, quhen time and occa-

ſioun ſervis, avenge hirſelf upon thame; ſa as theſe twa pointis, the jealouſy put in zour Majeſtie's heid be hir enemies, and the feir hir ſubjectis have of revenge, doth quite overthrow the reconciliatioun, and all the meanis thairof; for the quhilk ſcho had guid cauſe to be ſorrie, ſince the ſcope deſigned be zour Majeſtie and hir fra the beginning, being in the ſamin honeſt and godly thought, be the malice of hir enemies, and evil advices conceivit of hir ſubjectis, ſould be ſtayit. And zit for ſatisfying zour Majeſtie, hir guid ſiſter, (quhom ſcho cannot bot think the beſt friend ſcho has) ſcho will alwayis ſtudy, as far as in hir lyis, to remove baith theſe impedimentis.

Firſt, tuiching zour Majeſtie, to remove all doubtis out of zour mind, ſcho is quholly bent to ſtay hirſelf only upon zour freindſhip; as firſt of all Princes, ſcho did chooſe zour Majeſtie, in quhais realme ſcho wald ſeik refuge, in quhais handis ſcho wald put hirſelf, to quhais care ſcho wald commit hirſelf, and hir cauſe; ſcho is not ſo deſirous to ſeik ſuccours ony quhair elſe, or at ony uther Prince's handis; and, for a ſure pruif of hir truſt and confidence, will leive nathing undone that may be to zour Majeſtie's reſſounabill pleſour and contentment, for removing of the occaſiounis zour Majeſtie may have to conceive or retain ony evil opinioun of hir, for the cauſis foirſaid; and thairon to mak all the ſecurities that may be devyſit.

And for removing the evil opinioun conceivit be hir ſubjectis, notwithſtanding the greit ſeverities uſit be thame aganis hir honour, zit for zour Majeſtie's pleſour will uſe zour Hienes's counſal in extending hir clemencie to thame, and making the reconciliatioun be zour Majeſtie onlie; for that all the Princes of *Europe* have thair eyes open and bent on zour Majeſtie, luikand for the end of this conference, how and in quhat maner zour Majeſtie treatis this cauſe, being ſa weichtie in itſelf; and ſcho being a fré Princeſs, ſa neir to zour Hienes in blude, ſeikand ſupport at zour Majeſtie's handis, quhais progenitouris, Princes of

this

this realme, hes aydit and ſupportit mony Kingis of uther countries in thair troubillis.

Quhairfoir it becumis zour Majeſtie to tak care thairof, for zour awin honour, quhilk aſſuritlie will be intereſſit in the ſicht of uther Princes, and the haill warld, gif this cauſe be left in ſic extreme termis as preſentlie appeiris, conſidering the greit labyrinth, and intricate difficulties ariſing thairin; and thairfoir, albeit I be bot ane ſtranger, and it micht ſeme that I wer not very careful for zour Majeſtie's honour, zit I call the eternal God to witneſs, and my own conſcience, that I reverence the ſamin nixt my awin Maiſtres, throuch the tenderneſs of bluid, and the greit truſt and confidence ſcho has in zour Hienes, beſide that of my duty and vocatioun I ſould uprightlie deal in all thingis quhairin I am employit, and to forewarn thoſe thingis quhilkis may fall into ony greit inconvenient, ſa far as I may tak knawledge; for I am, praiſit be God, not ſo ſimpill or ignorant, thouch I be not weill inſtructit in the lawis of zour realme, zit I underſtand ſomething (ſuppois it be littill) in the civil law, be the quhilk all natiounis are governit, quhairin I have bene ane ſtudent twentie zeiris and more, and am not utterlie ignorant in the lawis of my awin countrie, quhairby I am aſſurit, quhatever my Maiſtres's adverſaris hes ſaid, or may ſay aganis hir Hienes, zea, and if it wer contrare ony private perſoun, and as this is treatit bot be conference, it wald not prejudge hir honour, eſtait, nor perſoun. And ſuppois I will not anſwer thairunto as a Commiſſionar, zit for defence of my Maiſtres's honour, and informatioun of zour Majeſtie, will declair ſum part of theſe thingis alledgit be hir adverſaris, quhilk may ſeme to mak aganis hir; for quhat can be alledgit bot preſumptiounis, and that not ſa vehement as the law requiris to convict ony private perſoun, *Cum non ſint adeo vehementes, ut contra quas non admittatur probatio in contrarium?*

And quhat is brocht to verify theſe letteris, alledgit written with hir awin hand, quhilk in na wayis is probabill, nor can be verifyit; bot there are greiter preſumptiounis that may

may be deducit to the contrary; as that hir Majeſtie, being ſa wiſe a Princeſs, of ſa greit renown over all Chriſtendom, havand at all tyme reſpect to hir high honour and eſtait, wald never condiſcend to ſa cruel and ungodlie a deid; and being alſwa ſa wiſe, circumſpect, and ſa weill honourit and obeyit within hir realme, wald never commit ſic ane cauſe to writing, nor hazard hir eſtait thairon, quhilk na private perſoun, of ſober judgment or wit, wald have done in ſic caſe and ane abominabill fact as this, quhilk ſcho never did think in hir mind, much leſs to conſent thairto. And thairfoir theſe preſumptiounis, and mony utheris quhilk micht be alledgit, are mair vehement and probabill in defence of hir innocence, nor the utheris are to mak hir eſtemit culpabill, *cum proniores debemus eſſe ad abſolvendum, quàm ad condemnandum*, and ſpeciallie in the cauſis of Princes treatit beſoir ane uther Prince, as the guid Emperour *Trajan* uſit in his time, quha wald not ſuffer ony to ſpeik evil of ony Prince, ſuppois he had bene deid, in his preſence, lat be to calumniate ony Prince being on lyfe; for ſen the eternal God hath placit thame in thair offices, it becumis the ſubjectis to obey, and not to reſiſt God's will and ordinance; and quhen the Princes tranſgreſs the boundis of thair duty, the ſubjectis ſould onlie call upon God to tak thame away, or change thair hartis and myndis, and not to rebell aganis thame, ſen the hart of the Prince is in God's hand, as the ſcriptures declair be mony exampillis.

And in this cais thir preſumptiounis can have na ſtrength, for my Maiſtres does affirm conſtantlie, ſcho never did write ony ſic letteris as are alledgit, bot the ſamin are forgit and maid expreſſlie be hir adverſaries, to colour thair ungrate and ungodly behaviour toward hir thair native Prince and ſoverane; as thair are ſindrie quha can counterfeit hir handwrit, quha have bene brocht up in hir cumpanie, of quhom thair are ſum aſſiſtand thameſelfis, as weill of uther natiounis as of *Scottis*, as I doubt not bot zour Majeſtie, and divers utheris of zour Hienes's court, has ſene ſindrie letteris ſent here from *Scotland*, quhilk wald not be kend by hir awin hand

hand writ, as ſall preſentlie be maid knawin, that ſic thingis may be and has bene uſit. And it may be ſa weill preſumit, in ſa weichty a cauſe, that thay quha have put handis in thair Prince, impriſounit hir perſoun, and committit ſic hainous crimes, gif a counterfeit letter be ſufficient to ſave thame, maintain thair cauſe, and conqueiſh to thame a kingdom, at leiſt the ſupreme government and auctoritie thairof, for a long ſpace, will not leive the ſamin unforgit, *cum, ſi violandum eſt jus, imperii cauſa violandum eſt.* So it being diſallowit be the alledgit author or writer, the preſumptioun ſould be greiter for hir innocence, nor to repute hir Majeſtie culpabill for ſic frivole and vain alledgit writingis.

And in cais hir adverſaris will affirm it to be hir awin hand writing, thay are nather lauchful accuſaris nor witneſſis, being firſt accuſit of ſic greit crimes as impriſouning of thair Prince, and ſic uther hainous doingis as thay are culpabill of, and hir Majeſtie wald lay to thair charge, if hir Hienes wer preſent, quhairof thay ſould firſt purge thameſelfis, e're thay, either be law or reſſoun, be admittit to accuſe ony private perſoun, lat be thair Prince: And gif thay wald preſs to verify the ſamin be compariſoun of letteris, the ſamin is na wayis ſufficient, *cum de jure fallaciſſimum genus probandi ſit per comparationem literarum*, quhilk requiris mony infallibill reſſounis or it be ſound ſufficient to verify, as be authentick writingis publiſhit, undoubtit and not denyit, with mony utheris contenit in the lawis, quhilk in this caſe will not be found. For the alledgit writingis, in form of miſſive letteris or epiſtles, quhilk makis na faith ſpeciallie, quhair, in the ſamin, no word is diſpoſiting or giving expreſs command, as in this may be ſene; and alſwa thay are not ſubſcrivit be the alledgit writer thairof, nor ſeillit nor ſignetit, and contain na dait of zeir, moneth or day, nor zit direct to na man; and in the ſamin thair is na mentioun maid of ony beirar, as is alledgit, quha was never zit knawin, as did receive thame fra hir, or deliver thame at hir command, to ony uther in the warld. Quhairfoir I beſeek zour Majeſtie to weigh and conſider adviſitlie quhat kind

kind of probatioun this can be, being denyit be the partie, with the imperfectiounis foirſaid; quhilk can prove nathing contrare ony private perſoun, much leſs aganis the Prince.

As to ony uther preſumptioun alledgit aganis our Soverane, in making ony pretendit mariage with the Erle *Bothwell*, the ſamin is ſufficientlie anſwerit in the reply preſentit at *Zork*; for the ſamin cannot be ane vehement preſumptioun contrary hir Majeſtie, in reſpect the ſamin was "be the "procuring of the beſt part of the nobilitie of the realme, "quha affirmit that mariage to be maiſt fit and convenient "for hir Majeſtie of ony uther within that realme, con- "ſenting thairfoir to the ſamin, and procuring and ſoliſt- "ing thairto, obliging thameſelfis in that cais to do him "ſervice, and to thair Soverane lauchful obedience," (ſuppois ſum of thame now ſeme to miſlyke the ſamin) as a writing ſubſcrivit be thair handis to that effect can teſtify.

Thir, and divers uther very probabill and reſſounabill defences, as alſwa the accuſatiounis of my Maiſtres's adverſaris, wald be proponit, gif hir Majeſtie wer admittit to cum to zour Hienes's preſence, for defence of hir honour, as equitie and reſſoun doth require, be quhilk zour Majeſtie ſould be fullie ſatisfyit of the truth of this cauſe, and that my Maiſtres ſould be found innocent thairof, and hir diſobedient ſubjectis culpabill of the ſamin; and thairfoir beſeik zour Majeſtie to conſider, that albeit thair be ſum ſlicht preſumptiounis alledgit, quhilk micht ſeme to mak ſumquhat aganis my Soverane, zit the ſamin are not ſufficient to induce ony kind of pruif aganis hir Majeſtie, eſpecially quhair as vehement and greiter preſumptiounis appeir in the contrair, as I have ſaid; ſo that zour Hienes cannot bot think guid of hir cauſe.

And in cais zour Majeſtie micht be inducit, be thir frivole preſumptiounis, or rather be the perſuaſioun of the adverſarie, to think or declair ony thing tending to the hinderance of my Maiſtreſs's honour, it will be ſaid, (craving zour Maiſtres's maiſt humbill pardoun, I ſpeik for

zour

zour Hienes's honour that thing I traist is conceillit fra zour Majestie) the samin to proceid of sum auld quarrellis, for sic attemptatis alledgit to be begun be hir freindis in *France*, quhen scho was under thair tutelage, and marryit to the King of *France*, quhilk will be judgit of all Princes in Christendom to be partiallie done, principallie being, hir Majestie's inobedient subjectis to be weill treatit, and admittit to zour Majestie's presence, and my Maistres refusit to cum thairto for declaratioun of hir innocence; and sa quhatever beis done in the contrare, will have na faith agains hir, bot augment hir honour, rather than dishonour or discredit hir in ony wise.

Thairfoir, in the name of the eternal God, quho is author of concord, unitie and peice, and hates seditioun and the authoris thairof, quhom I tak to witnes in zour Majestie's presence, that, not onlie in my Maistres's name, bot alswa according to my awin vocatioun, and for discharge of my conscience, I maist humblie beseik zour Majestie to luik sa upon my Maistres's cause, and to tak sic ordour thairwith as may stand with the plesour of God, zour Majestie's awin honour, and my Maistres's honour and estait, the commoun weill and quietnes of the realme and subjectis, in dressing and handling of this matter, be ane perfect reconciliatioun, as was meinit first. Through the quhilk, besides that the samin sall be wondrous acceptabill to almichtie God, zour Majestie sall conqueis the perpetual luif and favour of my Maistres, and all hir subjectis, and have thame debt-bound to assist zour Majestie, befoir all uther Princes on zeird, and the samin sall be to zour Majestie's greit praise and honour befoir uther Princes, to have taken sic pains to put this controversie to ane quiet end.

And as for ony particular causis concerning zour Majestie, and zour realme, zour Hienes sall have sic honorabill dress as may stand to zour Majestie's contentment, with all suretie as accordis: And on the contrare, gif zour Majestie proceidis rigorouslie thairintill, all guid Princes will tak na guid opinioun, for exampill's cause; and sum perchance

will repute zour Majeſtie as authour of the differences; quhairthrow zour Majeſtie's awin honour may be minoreſſit amangis uther Princes; quhairof I tak the boldneſs to advertiſe zour Majeſtie, praying zour Hienes may not be offendit with my familiar intreating, quhilk I undertake of the zeal I have towardis zour Majeſtie's eſtait and honour, quhilk I tender nixt to my Maiſtres's awin, as I have ſaid.

And gif the reconciliatioun may not be had, as was meanit at the beginning of this conference, that, at leiſt, it wald pleiſe zour Majeſtie to incline to that quhilk the equitie of the cauſe, proximitie of bluid, and the commoun eſtait and conditioun of Princes dois require, in reſtoring ſo my Sowerane and Maiſtres to hir native countrie, amangis hir faithful and trew ſubjectis, and ſupporting hir to paciſie thir inſtant troubillis, and peciabillie to enjoy that realme and countrey, to the government of quhilk, be the vocatioun of God, ſcho is callit: And, if this be thocht chargeable to zour Majeſtie, that zour Hienes in na wayis will ſupport the inobedient ſubjectis in hir contrary, nather be offendit that ſcho deſire the ſupport of all uther Chriſtian Princes to that effect, quhilk ſcho has ſpairit ſa lang to do at zour Majeſtie's deſire. Séing thir heidis wer publictlie be us proponit, it will pleiſe zour Majeſtie to let us have anſwer thairof, quhilk maiſt humblie I do require.

Preſentit the vj. *of* December, 1568.

FINIS.